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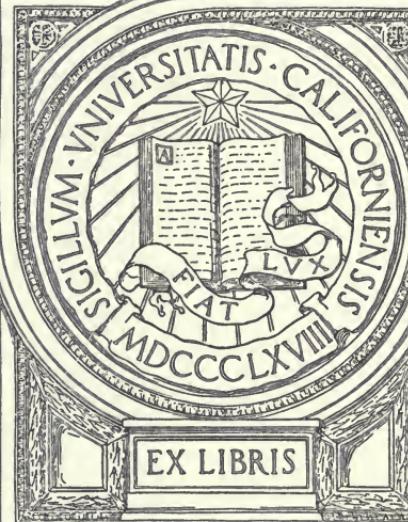


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W. L. Howard



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MRS. WALTER L. HOWARD



COLLEGE OF AGRICULTURE
DAVIS, CALIFORNIA





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GROVER CLEVELAND

From a Painting
by George M. Schmidt

HISTORY OF THE AMERICAN NATION



By

WILLIAM J. JACKMAN

JACOB H. PATTON

JOHN LORD

THEODORE ROOSEVELT

GEO. F. HOAR

JAMES BRYCE

GROVER CLEVELAND

CHAS. A. DANA

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A VOLUME DEDICATED
TO AMERICA'S AIMS
AND IDEALS

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THE FAREWELL ADDRESS
OF
GEORGE WASHINGTON

THE FAREWELL ADDRESS OF GEORGE WASHINGTON

Friends and Fellow-Citizens:

THE period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distant expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what ap-

peared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgement of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude

for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of

the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint counsels, and joint efforts of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of

the North, it finds particular navigation invigorated; and, while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and, what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same governments, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence,

likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations, Northern and Southern, Atlantic and Western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from

these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our Western country have lately had a useful lesson on this head; they have seen, in the negotiation by the Executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic States unfriendly to their interests in regard to the Mississippi; they have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved your first essay, by the adoption of a constitution of government better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy

and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for

themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the

founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but, in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate dominion of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to speak security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with all-founded jealousies and false alarms, kindles the animosity of one part against another, foments occasionally riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the govern-

ment itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and disturbing it into different depositaries, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country

and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked: Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere

friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it, avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertion in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The executions of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and

morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another a habitual hatred or a habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility in-

stigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducements or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealous, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation), facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gliding, with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence

(I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only or one side, and serve to veil and even second the arts of influence on the other. Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us in regard to foreign nations is in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected;

when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor or caprice?

It is our true policy to steer clear of permanent reliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing (with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them) conventional rules of intercourse, the best that present circumstances and

mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion, which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations. But, if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe,

my proclamation of the twenty-second of April, 1793, is the index of my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to

think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government, the ever-favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

THE GETTYSBURG ADDRESS
OF
ABRAHAM LINCOLN

THE GETTYSBURG ADDRESS OF ABRAHAM LINCOLN

(At the dedication of the National Cemetery at Gettysburg,
Pa., November 15, 1863.)

FOURSCORE and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate, we cannot consecrate, we cannot hallow, this ground. The brave men, living and dead, who struggled here, have consecrated it far above our power to add or detract. The world will little note, nor long remember, what we say here; but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion;

that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth.

THE SECOND INAUGURAL ADDRESS
OF ABRAHAM LINCOLN

THE SECOND INAUGURAL ADDRESS OF ABRAHAM LINCOLN

Fellow-Countrymen:

AT this second appearing to take the oath of the Presidential office, there is less occasion for an extended address than there was at the first. Then a statement somewhat in detail of a course to be pursued seemed very fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention and engrosses the energies of the nation, little that is new could be presented.

The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself; and it is, I trust, reasonably satisfactory, and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

On the occasion corresponding to this, four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it; all sought to avoid it. While the inaugural address was being delivered from this place, devoted altogether to saving the Union without war, insurgent agents were in the city seeking to destroy it without war—seeking to dissolve the Union and divide the effects by negotiation. Both parties deprecated war; but one of them would make war rather than let the nation survive, and the other would accept war rather than let it perish; and the war came.

One eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the southern part of it. These slaves constituted a peculair and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate, and extend this interest, was the object for which the insurgents would rend the Union even by war, while the government claimed no right to do more than to restrict the territorial enlargement of it.

Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding.

Both read the same Bible and pray to the same God, and each invokes his aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has his own purposes. "Woe unto the world because of offenses, for it must needs be that offenses come; but woe to that man by whom the offense cometh." If we shall suppose that American slavery is one of these offenses, which in the providence of God must needs come, but which, having continued through his appointed time, he now wills to remove, and that he gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may soon pass

away. Yet, if God wills that it continue until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid with another drawn with the sword; as was said three thousand years ago, so still it must be said, "The judgments of the Lord are true and righteous altogether."

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves, and with all nations.

DEMOCRACY

DEMOCRACY

By JAMES RUSSELL LOWELL

THE framers of the American Constitution were far from wishing, or intending, to found a democracy in the strict sense of the word, though, as was inevitable, every expansion of the scheme of government they elaborated has been in a democratical direction. But this has been generally the slow result of growth, and not the sudden innovation of theory; in fact, they had a profound disbelief in theory, and knew better than to commit the folly of breaking with the past. They were not seduced by the French fallacy that a new system of government could be ordered like a new suit of clothes. They would as soon have thought of ordering a new suit of flesh and skin. It is only on the roaring loom of time that the stuff is woven for such a vesture of their thought and experience as they were meditating. They recognized fully the value of tradition and habit as the great allies of permanence and stability. They all had that distaste for innovation which belonged to their race, and many of them a distrust of human nature derived from their creed. The day of sentiment was over, and no dithyrambic affirmations or fine-drawn analyses of the Rights of Man would serve their present turn. This was a practical question, and they addressed themselves to it as men of knowledge and judgment should. Their problem was how to adapt English principles and precedents to the new conditions of American life, and they solved it with singu-

lar discretion. They put as many obstacles as they could contrive, not in the way of the people's will, but of their whim. With few exceptions they probably admitted the logic of the then accepted syllogism—democracy, anarchy, despotism. But this formula was framed upon the experience of small cities shut up to stew within their narrow walls, where the number of citizens made but an inconsiderable fraction of the inhabitants, where every passion was reverberated from house to house and from man to man with gathering rumor till every impulse became gregarious and therefore inconsiderate, and every popular assembly needed but an infusion of eloquent sophistry to turn it into a mob, all the more dangerous because sanctified with the formality of law.

Fortunately their case was wholly different. They were to legislate for a widely-scattered population and for states already practiced in the discipline of a partial independence. They had an unequaled opportunity and enormous advantages. The material they had to work upon was already democratical by instinct and habitude. It was tempered to their hands by more than a century's schooling in self-government. They had but to give permanent and conservative form to a ductile mass. In giving impulse and direction to their new institutions, especially in supplying them with checks and balances, they had a great help and safeguard in their federal organization. The different, sometimes conflicting, interests and social systems of the several states made existence as a Union and coalescence into a nation conditional on a constant practice of moderation and compromise. The very elements of disintegration were the best guides in political training. Their children learned the lesson of compromise only too well, and it was the application of it to a question

of fundamental morals that cost us our Civil War. We learned once for all that compromise makes a good umbrella but a poor roof; that it is a temporary expedient, often wise in party politics, almost sure to be unwise in statesmanship.

Has not the trial of democracy in America proved, on the whole, successful? If it had not, would the Old World be vexed with any fears of its proving contagious? This trial would have been less severe could it have been made with a people homogeneous in race, language, and traditions, whereas the United States have been called on to absorb and assimilate enormous masses of foreign population, heterogeneous in all these respects, and drawn mainly from that class which might fairly say that the world was not their friend, nor the world's law. The previous condition too often justified the traditional Irishman, who, landing in New York and asked what his politics were, inquired if there was a government there, and on being told that there was, retorted, "Thin I'm agin it!" We have taken from Europe the poorest, the most ignorant, the most turbulent of her people, and have made them over into good citizens, who have added to our wealth, and who are ready to die in defense of a country and of institutions which they know to be worth dying for.

The exceptions have been (and they are lamentable exceptions) where these hordes of ignorance and poverty have coagulated in great cities. But the social system is yet to seek which has not to look the same terrible wolf in the eyes. On the other hand, at this very moment Irish peasants are buying up the worn-out farms of Massachusetts, and making them productive again by the same virtues of industry and thrift that once made them profitable to the English ancestors of the men who are deserting them. To have achieved even these prosaic results

(if you choose to call them so), and that out of materials the most discordant—I might say the most recalcitrant—argues a certain beneficent virtue in the system that could do it, and is not to be accounted for by mere luck. Carlyle said scornfully that America meant only roast turkey every day for everybody. He forgot that states, as Bacon said of wars, go on their bellies. As for the security of property, it should be tolerably well secured in a country where every other man hopes to be rich, even though the only property qualification be the ownership of two hands that add to the general wealth. Is it not the best security for anything to interest the largest possible number of persons in its preservation and the smallest in its division?

In point of fact, far-seeing men count the increasing power of wealth and its combinations as one of the chief dangers with which the institutions of the United States are threatened in the not distant future. The right of individual property is no doubt the very corner-stone of civilization as hitherto understood, but I am a little impatient of being told that property is entitled to exceptional consideration because it bears all the burdens of the state. It bears those, indeed, which can most easily be borne, but poverty pays with its person the chief expenses of war, pestilence, and famine. Wealth should not forget this, for poverty is beginning to think of it now and then. Let me not be misunderstood. I see as clearly as any man possibly can, and rate as highly, the value of wealth, and of hereditary wealth, as the security of refinement, the feeder of all those arts that ennoble and beautify life and as making a country worth living in. Many an ancestral hall here in England has been a nursery of that culture which has been of example and benefit to all.

I should not think of coming before you to defend or to criticise any form of government. All have their virtues, all their defects, and all have illustrated one period or another in the history of the race, with signal services to humanity and culture. There is not one that could stand a cynical cross-examination by an experienced criminal lawyer, except that of a perfectly wise and perfectly good despot, such as the world has never seen, excepting that white-haired king of Browning's who

"Lived long ago
In the morning of the world,
When Earth was nearer Heaven than now."

The English race, if they did not invent government by discussion, have at least carried it nearest to perfection in practice. It seems a very safe and reasonable contrivance for occupying the attention of the country, and is certainly a better way of settling questions than by push of pike. Yet, if one should ask it why it should not rather be called government by gabble, it would have to fumble a good while before it found the chance for a convincing reply.

As matters stand, too, it is beginning to be doubtful whether Parliament and Congress sit at Westminster and Washington or in the editors' rooms of the leading journals, so thoroughly is everything debated before the authorized and responsible debaters get on their legs. And what shall we say of government by a majority of voices? To a person who in the last century would have called himself an impartial observer, a numerical preponderance seems, on the whole, as clumsy a way of arriving at truth as could well be devised, but experience has apparently shown it to be a covenant arrangement for determining what may be expedient or advisable or

practicable at any given moment. Truth, after all, wears a different face to everybody and it would be too tedious to wait till all were agreed. She is said to lie at the bottom of a well, for the very reason, perhaps, that whatever looks down in search of her sees his own image at the bottom, and is persuaded not only that he has seen the goddess, but that she is far better-looking than he had imagined.

The arguments against universal suffrage are equally unanswerable. "What," we exclaim, "shall Tom, Dick, and Harry have as much weight in the scale as I?" Of course nothing could be more absurd. And yet universal suffrage has not been the instrument of greater unwisdom than contrivances of a more select description. Assemblies could be mentioned composed entirely of Masters of Arts and Doctors in Divinity which have sometimes shown traces of human passion or prejudice in their votes. The democratic theory is that those Constitutions are likely to prove steadiest which have the broadest base, that the right to vote makes a safety-valve of every voter, and that the best way of teaching a man how to vote is to give him the chance of practice. For the question is no longer the academic one, "Is it wise to give every man the ballot?" but rather the practical one, "Is it prudent to deprive whole classes of it any longer?" It may be conjectured that it is cheaper in the long run to lift men up than to hold them down, and that the ballot in their hands is less dangerous to society than a sense of wrong in their heads. At any rate this is the dilemma to which the drift of opinion has been for some time sweeping us, and in politics a dilemma is a more unmanageable thing to hold by the horns than a wolf by the ears.

It is said that the right of suffrage is not valued when it is indiscriminately bestowed, and there may

be some truth in this, for I have observed that what men prize most is a privilege, even if it be that of chief mourner at a funeral. But is there not danger that it will be valued at more than its worth if denied, and that some illegitimate way will be sought to make up for the want of it? Men who have a voice in public affairs are at once affiliated with one or other of the great parties between which society is divided, merge their individual hopes and opinions in its safer, because more generalized, hopes and opinions, are disciplined by its tactics, and acquire, to a certain degree, the orderly qualities of an army. They no longer belong to a class, but to a body corporate. Of one thing, at least, we may be certain, that, under whatever method of helping things to go wrong man's wit can contrive, those who have the divine right to govern will be found to govern in the end, and that the highest privilege to which the majority of mankind can aspire is that of being governed by those wiser than they. Universal suffrage has in the United States sometimes been made the instrument of inconsiderate changes, under the notion of reform, and this from a misconception of the true meaning of popular government. One of these has been the substitution in many of the states of popular election for official selection in the choice of judges. The same system applied to military officers was the source of much evil during our Civil War, and, I believe, had to be abandoned. But it has been also true that on all great questions of national policy a reserve of prudence and discretion has been brought out at the critical moment to turn the scale in favor of a wiser decision. An appeal to the reason of the people has never been known to fail in the long run.

We are told that the inevitable result of democracy is to sap the foundations of personal independence, to

weaken the principle of authority, to lessen the respect due to eminence, whether in station, virtue, or genius. If these things were so, society could not hold together. Perhaps the best forcing-house of robust individuality would be where public opinion is inclined to be most overbearing, as he must be of heroic temper who should walk along Piccadilly at the height of the season in a soft hat. As for authority, it is one of the symptoms of the time that the religious reverence for it is declining everywhere, but this is due partly to the fact that statecraft is no longer looked upon as a mystery, but as a business, and partly to the decay of superstition, by which I mean the habit of respecting what we are told to respect rather than what is respectable in itself. There is more rough and tumble in the American democracy than is altogether agreeable to people of sensitive nerves and refined habits, and the people take their political duties lightly and laughingly, as is, perhaps, neither unnatural nor unbecoming in a young giant. Democracies can no more jump away from their own shadows than the rest of us can. They no doubt, sometimes make mistakes and pay honor to men who do not deserve it. But they do this because they believe them worthy of it, and though it be true that the idol is the measure of the worshiper, yet the worship has in it the germ of a nobler religion.

But is it democracies alone that fall into these errors? I, who have seen it proposed to erect a statue to Hudson, the railway king, and have heard Louis Napoleon hailed as the saviour of society by men who certainly had no democratic associations or leanings, am not ready to think so. But democracies have likewise their finer instincts. I have also seen the wisest statesman and most pregnant speaker of our generation, a man of humble birth and ungain-

ly manners, of little culture beyond what his own genius supplied, become more absolute in power than any monarch of modern times through the reverence of his countrymen for his honesty, his wisdom, his sincerity, his faith in God and man, and the nobly humane simplicity of his character. And I remember another whom popular respect enveloped as with a halo, the most independent of opinion. Wherever he went he never met a stranger, but everywhere neighbors and friends proud of him as their ornament and decoration. Institutions which could bear and breed such men as Lincoln and Emerson had surely some energy for good. No, amid all the fruitless turmoil and miscarriage of the world, if there be one thing steadfast and of favorable omen, one thing to make optimism distrust its own obscure distrust, it is the rooted instinct in men to admire what is better and more beautiful than themselves. The touchstone of political and social institutions is their ability to supply them with worthy objects of this sentiment, which is the very tap-root of civilization and progress. There would seem to be no readier way of feeding it with the elements of growth and vigor than such an organization of society as will enable men to respect themselves, and so to justify them in respecting others.

Such a result is quite possible under other conditions than those of an avowedly democratical Constitution. For I take it that the real essence of democracy was fairly enough defined by the First Napoleon when he said that the French Revolution meant "*la carriere ouverte aux talents*"—a clear pathway for merit of whatever kind. I should be inclined to paraphrase this by calling democracy that form of society, no matter what its political classification, in which every man had a chance and knew that he had it. If a man can climb, and feels himself

encouraged to climb, from a coal-pit to the highest position for which he is fitted, he can well afford to be indifferent what name is given to the government under which he lives. The Bailli of Mirabeau, uncle of the more famous tribune of that name, wrote in 1771: "The English are, in my opinion, a hundred times more agitated and more unfortunate than the very Algerines themselves, because they do not know and will not know till the destruction of their over-swollen power, which I believe very near, whether they are monarchy, aristocracy, or democracy, and wish to play the part of all three." England has not been obliging enough to fulfill the Bailli's prophecy, and perhaps it was his very carelessness about the name, and concern about the substance of popular government, this skill in getting the best out of things as they are, in utilizing all the motives which influence men, and in giving one direction to many impulses, that has been a principal factor of her greatness and power.

Perhaps it is fortunate to have an unwritten Constitution, for men are prone to be tinkering the work of their own hands, whereas they are more willing to let time and circumstances mend or modify what time and circumstances have made. All free governments, whatever their name, are in reality governments by public opinion, and it is on the quality of this public opinion that their prosperity depends. It is, therefore, their first duty to purify the element from which they draw the breath of life. With the growth of democracy grows also the fear, if not the danger, that this atmosphere may be corrupted with poisonous exhalations from lower and more 'malarious' levels, and the question of sanitation becomes more instant and pressing. Democracy in its best sense is merely the letting in of light and air. Lord Sherbrooke, with his usual epigrammatic terseness,

bids you educate your future rulers. But would this alone be a sufficient safeguard? To educate the intelligence is to enlarge the horizon of its desires and wants. And it is well that this should be so. But the enterprise must go deeper and prepare the way for satisfying those desires and wants in so far as they are legitimate.

What is really ominous of danger to the existing order of things is not democracy (which, properly understood, is a conservative force), but the Socialism which may find a fulcrum in it. If we cannot equalize conditions and fortunes any more than we can equalize the brains of men—and a very sagacious person has said that “where two men ride of a horse one must ride behind”—we can yet, perhaps, do something to correct those methods and influences that lead to enormous inequalities, and to prevent their growing more enormous. It is all very well to pooh-pooh Mr. George and to prove him mistaken in his political economy. But he is right in his impelling motive; right, also, I am convinced, in insisting that humanity makes a part, by far the most important part, of political economy; and in thinking man to be of more concern and more convincing than the longest columns of figures in the world. For unless you include human nature in your addition, your total is sure to be wrong and your deductions from it fallacious. Communism means barbarism, but Socialism means, or wishes to mean, cooperation and community of interests, sympathy, the giving to the hands not so large a share as to the brains, but a larger share than hitherto in the wealth they must combine to produce—means, in short, the practical application of Christianity to life, and has in it the secret of an orderly and benign reconstruction.

I do not believe in violent changes, nor do I expect them. Things in possession have a very firm grip.

One of the strongest cements of society is the conviction of mankind that the state of things into which they are born is a part of the order of the universe, as natural, let us say, as that the sun should go round the earth. It is a conviction that they will not surrender except on compulsion, and a wise society should look to it that this compulsion be not put upon them. For the individual man there is no radical cure, outside of human nature itself. The rule will always hold good that you must

Be your own palace or the world's your gaol.

But for artificial evils, for evils that spring from want of thought, thought must find a remedy somewhere. There has been no period of time in which wealth has been more sensible of its duties than now. It builds hospitals, it establishes missions among the poor, it endows schools. It is one of the advantages of accumulated wealth, and of the leisure it renders possible, that people have time to think of the wants and sorrows of their fellows. But all these remedies are partial and palliative merely. It is as if we should apply plasters to a single pustule of smallpox with a view of driving out the disease. The true way is to discover and to extirpate the germs. As society is now constituted these are in the air it breathes, in the water it drinks, in things that seem, and which it has always believed, to be the most innocent and healthful. The evil elements it neglects corrupt these in their springs and pollute them in their courses. Let us be of good cheer, however, remembering that the misfortunes hardest to bear are those which never come. The world has outlived much, and will outlive a great deal more, and men have contrived to be happy in it. It has shown the strength of its constitution in nothing

more than in surviving the quack medicines it has tried. In the scales of the destinies brawn will never weigh so much as brain. Our healing is not in the storm or in the whirlpool, it is not in monarchies, or aristocracies, or democracies, but will be revealed by the still small voice that speaks to the conscience and the heart, prompting us to a wider and wiser humanity.

TRUE AMERICANISM

TRUE AMERICANISM

By THEODORE ROOSEVELT

PATRIOTISM was once defined as "the last refuge of a scoundrel;" and somebody has recently remarked that when Dr. Johnson gave this definition he was ignorant of the infinite possibilities contained in the word "reform." Of course both gibes were quite justifiable, in so far as they were aimed at people who use noble names to cloak base purposes. Equally of course the man shows little wisdom and a low sense of duty who fails to see that love of country is one of the elemental virtues, even though scoundrels play upon it for their own selfish ends; and, inasmuch as abuses continually grow up in civic life as in all other kinds of life, the statesman is indeed a weakling who hesitates to reform these abuses because the word "reform" is often on the lips of men who are silly or dishonest.

What is true of patriotism and reform is true also of Americanism. There are plenty of scoundrels always ready to try to belittle reform movements or to bolster up existing iniquities in the name of Americanism; but this does not alter the fact that the man who can do most in this country is and must be the man whose Americanism is most sincere and intense. Outrageous though it is to use a noble idea as the cloak for evil, it is still worse to assail the noble idea itself because it can thus be used. The men who do iniquity in the name of patriotism, of reform, of Americanism, are merely one small division of the class that has always existed and will

always exist—the class of hypocrites and demagogues, the class that is always prompt to steal the watchwords of righteousness and use them in the interests of evil-doing.

The stoutest and truest Americans are the very men who have the least sympathy with the people who invoke the spirit of Americanism to aid what is vicious in our government, or to throw obstacles in the way of those who strive to reform it. It is contemptible to oppose a movement for good because that movement has already succeeded somewhere else, or to champion an existing abuse because our people have always been wedded to it. To appeal to national prejudice against a given reform movement is in every way unworthy and silly. It is as childish to denounce free trade because England has adopted it as to advocate it for the same reason. It is eminently proper, in dealing with the tariff, to consider the effect of tariff legislation in time past upon other nations as well as the effect upon our own; but in drawing conclusions it is in the last degree foolish to try to excite prejudice against one system because it is in vogue in some given country, or to try to excite prejudice in its favor because the economists of that country have found that it was suited to their own peculiar needs. In attempting to solve our difficult problem of municipal government it is mere folly to refuse to profit by whatever is good in the examples of Manchester and Berlin because these cities are foreign, exactly as it is mere folly blindly to copy their examples without reference to our own to totally different conditions. As for the absurdity of declaiming against civil-service reform, for instance, as "Chinese," because written examinations have been used in China, it would be quite as wise to declaim against gunpowder because it was first utilized by the same people. In

short, the man who, whether from mere dull fatuity or from an active interest in misgovernment, tries to appeal to American prejudice against things foreign, so as to induce Americans to oppose any measure for good, should be looked on by his fellow countrymen with the heartiest contempt. So much for the men who appeal to the spirit of Americanism to sustain us in wrong-doing. But we must never let our contempt for these men bind us to the nobility of the idea which they strive to degrade.

We Americans have many grave problems to solve, many threatening evils to fight, and many deeds to do, if, as we hope and believe, we have the wisdom, the strength, the courage, and the virtue to do them. But we must face facts as they are. We must neither surrender ourselves to a foolish optimism, nor succumb to a timid and ignoble pessimism. Our nation is that one among all the nations of the earth which holds in its hands the fate of the coming years. We enjoy exceptional advantages, and are menaced by exceptional dangers; and all signs indicate that we shall either fail greatly or succeed greatly. I firmly believe that we shall succeed; but we must not foolishly blink the dangers by which we are threatened, for that is the way to fail. On the contrary, we must soberly set to work to find out all we can about the existence and extent of every evil, must acknowledge it to be such, and must then attack it with unyielding resolution. There are many such evils, and each must be fought after a separate fashion; yet there is one quality which we must bring to the solution of every problem—that is, an intense and fervid Americanism. We shall never be successful over the dangers that confront us; we shall never achieve true greatness, nor reach the lofty ideal which the founders and preservers of our mighty Federal Republic have set before

us, unless we are Americans in heart and soul, in spirit and purpose, keenly alive to the responsibility implied in the very name of American, and proud beyond measure of the glorious privilege of bearing it.

There are two or three sides to the question of Americanism, and two or three senses in which the word "Americanism" can be used to express the antithesis of what is unwholesome and undesirable. In the first place we wish to be broadly American and national, as opposed to being local or sectional. We do not wish, in politics, in literature, or in art, to develop that unwholesome parochial spirit, that over-exaltation of the little community at the expense of the great nation, which produces what has been described as the patriotism of the village, the patriotism of the belfry. Politically, the indulgence of this spirit was the chief cause of the calamities which befell the ancient republics of Greece, the mediaeval republics of Italy, and the petty states of Germany as it was in the last century. It is this spirit of provincial patriotism, this inability to take a view of broad adhesion to the whole nation that has been the chief among the causes that have produced such anarchy in the South American States, and which have resulted in presenting to us, not one great Spanish-American federal nation stretching from the Rio Grande to Cape Horn, but a squabbling multitude of revolution-ridden states, not one of which stands even in the second rank as a power. However, politically, this question of American nationality has been settled once for all. We are no longer in danger of repeating in our history the shameful and contemptible disasters that have befallen the Spanish possessions on this continent since they threw off the yoke of Spain. Indeed, there is, all through our life, very much less of this parochial

spirit than there was formerly. Still there is an occasional outcropping here and there; and it is just as well that we should keep steadily in mind the futility of talking of a Northern literature or a Southern literature, an Eastern or a Western school of art or science. Joel Chandler Harris is emphatically a national writer; so is Mark Twain. They do not write for Georgia or Missouri or California any more than for Illinois or Connecticut; they write as Americans and for all people who can read English. St. Gaudens lives in New York; but his work is just as distinctive of Boston or Chicago. It is of very great consequence that we should have a full and ripe literary development in the United States, but it is not of the least consequence whether New York, or Boston, or Chicago, or San Francisco becomes the literary or artistic center of the United States.

There is a second side of this question of a broad Americanism, however. The patriotism of the village or the bellfry is bad, but the lack of all patriotism is even worse. There are philosophers who assure us that, in the future, patriotism will be regarded not as a virtue at all, but merely as a mental stage in the journey toward a state of feeling when our patriotism will include the whole human race and all the world. This may be so; but the age of which these philosophers speak is still several aeons distant. In fact, philosophers of this type are so very advanced that they are of no practical service to the present generation. It may be that, in ages so remote that we cannot now understand any of the feelings of those who will dwell in them, patriotism will no longer be regarded as a virtue, exactly as it may be that in those remote ages people will look down upon and disregard monogamic marriage; but as things now are and have been for two or three thousand years past, and are ~~likely~~ to be for two or

three thousand years to come, the words "home" and "country" mean a great deal. Nor do they show any tendency to lose their significance. At present, treason, like adultery, ranks as one of the worst of all possible crimes.

One may fall very far short of treason and yet be an undesirable citizen in the community. The man who becomes Europeanized, who loses his power of doing good work on this side of the water, and who loses his love for his native land, is not a traitor; but he is a silly and undesirable citizen. He is as emphatically a noxious element in our body politic as is the man who comes here from abroad and remains a foreigner. Nothing will more quickly or more surely disqualify a man from doing good work in the world than the acquirement of that flaccid habit of mind which its possessors style cosmopolitanism.

It is not only necessary to Americanize the immigrants of foreign birth who settle among us, but it is even more necessary for those among us who are by birth and descent already Americans not to throw away our birthright, and, with incredible and contemptible folly, wander back to bow down before the alien gods whom our forefathers forsook. It is hard to believe that there is any necessity to warn Americans that, when they seek to model themselves on the lines of other civilizations, they make themselves the butts of all right-thinking men; and yet the necessity certainly exists to give this warning to many of our citizens who pride themselves on their standing in the world of art and letters, or, perchance, on what they would style their social leadership in the community. It is always better to be an original than an imitation, even when the imitation is of something better than the original; but what shall we say of the fool who is content to be an imitation of

something worse? Even if the weaklings who seek to be other than Americans were right in deeming other nations to be better than their own, the fact yet remains that to be a first-class American is fifty-fold better than to be a second-class imitation of a Frenchman or Englishman. As a matter of fact, however, those of our countrymen who do believe in American inferiority are always individuals who, however cultivated, have some organic weakness in their moral or mental make-up; and the great mass of our people, who are robustly patriotic, and who have sound, healthy minds, are justified in regarding these feeble renegades with a half-impatient and half-amused scorn.

We believe in waging relentless war on rank-growing evils of all kinds, and it makes no difference to us if they happen to be of purely native growth. We grasp at any good, no matter whence it comes. We do not accept the evil attendant upon another system of government as an adequate excuse for that attendant upon our own; the fact that the courtier is a scamp does not render the demagogue any the less a scoundrel. But it remains true that, in spite of all our faults and shortcomings, no other land offers such glorious possibilities to the man able to take advantage of them, as does ours; it remains true that no one of our people can do any work really worth doing unless he does it primarily as an American. It is because certain classes of our people still retain their spirit of colonial dependence on, and exaggerated deference to, European opinion, that they fail to accomplish what they ought to. It is precisely along the lines where we have worked most independently that we have accomplished the greatest results; and it is in those professions where there has been no servility to, but merely a wise profiting by, foreign experience, that we have pro-

duced our greatest men. Our soldiers and statesmen and orators; our explorers, our wilderness-winners, and commonwealth-builders; the men who have made our laws and seen that they were executed; and the other men whose energy and ingenuity have created our marvelous material prosperity—all these have been men who have drawn wisdom from the experience of every age and nation, but who have nevertheless thought, and worked, and conquered, and lived, and died, purely as Americans; and on the whole they have done better work than has been done in any other country during the short period of our national life.

On the other hand, it is in those professions where our people have striven hardest to mold themselves in conventional European forms that they have succeeded least; and this holds true to the present day, the failure being of course most conspicuous where the man takes up his abode in Europe; where he becomes a second-rate European, because he is over-civilized, over-sensitive, over-refined, and has lost the hardihood and struggle of our national life. Be it remembered, too, that this same being does not really become a European; he only ceases being an American, and becomes nothing. He throws away a great prize for the sake of a lesser one, and does not even get the lesser one. The painter who goes to Paris, not merely to get two or three years' thorough training in his art, but with the deliberate purpose of taking up his abode there, and with the intention of following in the ruts worn deep by 10,000 earlier travelers, instead of striking off to rise or fall on a new line, thereby forfeits all chance of doing the best work. He must content himself with aiming at that kind of mediocrity which consists in doing fairly well what has already been done better; and he usually never even sees the grandeur and picturesqueness

lying open before the eyes of every man who can read the book of America's past and the book of America's present. Thus it is with the undersized man of letters, who flees his country because he, with his delicate, effeminate sensitiveness, finds the conditions of life on this side of the water crude and raw; in other words, because he finds that he cannot play a man's part among men, and so goes where he will be sheltered from the winds that harden stouter souls. This emigre may write graceful and pretty verses, essays, novels; but he will never do work to compare with that of his brother, who is strong enough to stand on his own feet, and do his work as an American. Thus it is with the scientist who spends his youth in a German university, and can thenceforth work only in the fields already fifty times furrowed by the German ploughs. Thus it is with that most foolish of parents who sends his children to be educated abroad, not knowing—what every clear-sighted man from Washington and Jay down has known—that the American who is to make his way in America should be brought up among his fellow Americans. It is among the people who like to consider themselves, and, indeed, to a large extent are, the leaders of the so-called social world, especially in some of the north-eastern cities, that this colonial habit of thought, this thoroughly provincial spirit of admiration for things foreign, and inability to stand on one's own feet, becomes most evident and most despicable. We believe in every kind of honest and lawful pleasure, so long as the getting it is not made man's chief business; and we believe heartily in the good that can be done by men of leisure who work hard in their leisure, whether at politics or philanthropy, literature or art. But a leisure class whose leisure simply means idleness is a curse to the community, and in so far as its members dis-

tinguish themselves chiefly by aping the worst—not the best—traits of similar people across the water, they become both comic and noxious elements of the body politic.

The third sense in which the word “Americanism” may be employed is with reference to the Americanizing of the newcomers to our shores. We must Americanize them in every way, in speech, in political ideas and principles, and in their way of looking at the relations between church and state. We welcome the German or the Irishman who becomes an American. We have no use for the German or Irishman who remains such. We do not wish German-Americans and Irish-Americans who figure as such in our social and political life; we want only Americans, and, providing they are such, we do not care whether they are of native or of Irish or of German ancestry. We have no room in any healthy American community for a German-American vote or an Irish-American vote, and it is contemptible demagogery to put planks into any party platform with the purpose of catching such a vote. We have no room for any people who do not act and vote simply as Americans, and as nothing else. Moreover, we have as little use for people who carry religious prejudices into our politics as for those who carry prejudices of caste or nationality. We stand unalterably in favor of the public-school system in its entirety. We believe that English and no other language, is that in which all the school exercises should be conducted. We are against any division of the school fund, and against any appropriation of public money for sectarian purposes. We are against any recognition whatever by the state, in any shape or form, of state-aided parochial schools. But we are equally opposed to any discrimination against or for a man because of his creed. We demand that all citizens,

Protestant and Catholic, Jew and Gentile, shall have fair treatment in every way; that all alike shall have their rights guaranteed them. The very reasons that make us unqualified in our opposition to state-aided sectarian schools make us equally bent that, in the management of our public schools, the adherents of each creed shall receive exact and equal justice, wholly without regard to their religious affiliations; that trustees, superintendents, teachers, scholars, all alike, shall be treated without any reference whatsoever to the creed they profess. We maintain that it is an outrage, in voting for a man for any position, whether state or national, to take into account his religious faith, providing only he is a good American. When a secret society does what in some places the American Protective Association seems to have done, and tries to proscribe Catholics both politically and socially, the members of such society show that they themselves are as utterly un-American, as alien to our school of political thought as the worst immigrants who land on our shores. Their conduct is equally base and contemptible; they are the worst foes of our public-school system, because they strengthen the hands of its ultramontane enemies; they should receive the hearty condemnation of all Americans who are truly patriotic.

The mighty tide of immigration to our shores has brought in its train much of good and much of evil; and whether the good or the evil shall predominate depends mainly on whether these new-comers do or do not throw themselves heartily into our national life, cease to be European, and become Americans like the rest of us. More than a third of the people of the northern states are of foreign birth or parentage. An immense number of them have become completely Americanized, and these stand on exactly

the same plane as the descendants of any Puritan, Cavalier, or Knickerbocker among us, and do their full and honorable share of the nation's work. But where immigrants, or the sons of immigrants, do not heartily and in good faith throw in their lot with us, but cling to the speech, the customs, the ways of life, and the habits of thought of the Old World which they have left, they thereby harm both themselves and us. If they remain alien elements, unassimilated, and with interests separate from ours, they are mere obstructions to the current of our national life, and, moreover, can get no good from it themselves. In fact, though we ourselves also suffer from their perversity, it is they who really suffer most. It is an immense benefit to the European immigrant to change him into an American citizen. To bear the name of American is to bear the most honorable of titles; and whoever does not so believe has no business to bear the name at all, and, if he comes from Europe, the sooner he goes back there the better. Besides, the man who does not become Americanized nevertheless fails to remain a European, and becomes nothing at all. The immigrant cannot possibly remain what he was, or continue to be a member of the Old World society. If he tries to retain his old language, in a few generations it becomes a barbarous jargon; if he tries to retain his old customs and ways of life, in a few generations he becomes an uncouth boor. He has cut himself off from the Old World, and cannot retain his connection with it; and if he wishes ever to amount to anything he must throw himself heart and soul, and without reservation, into the new life to which he has come. It is urgently necessary to check and regulate our immigration by much more drastic laws than now exist; and this should be done both to keep out laborers who tend to depress the labor market,

and to keep out races which do not assimilate readily with our own, and unworthy individuals of all races—not only criminals, idiots, and paupers, but anarchists of the Most and O'Donovan Rossa type.

From his own standpoint, it is beyond all question the wise thing for the immigrant to become thoroughly Americanized. Moreover, from our standpoint, we have a right to demand it. We freely extend the hand of welcome and of good-fellowship to every man, no matter what his creed or birthplace, who comes here honestly intent on becoming a good United States citizen like the rest of us; but we have a right, and it is our duty to demand, that he shall indeed become so, and shall not confuse the issues with which we are struggling by introducing among us Old World quarrels and prejudices. There are certain ideals which he must give up. For instance, he must learn that American life is incompatible with the existence of any form of anarchy, or of any secret society having murder for its aim, whether at home or abroad; and he must learn that we exact full religious toleration and the complete separation of church and state. Moreover, he must not bring in his Old World religious race and national antipathies, but must merge them into love for our common country, and must take pride in the things which we can all take pride in. He must revere only our flag; not only must it come first, but no other flag should even come second. He must learn to celebrate Washington's birthday rather than that of Queen or Kaiser, and the Fourth of July instead of St. Patrick's Day. Our political and social questions must be settled on their own merits, and not complicated by quarrels between England and Ireland, or France and Germany, with which we have nothing to do; it is an outrage to fight an American political campaign with reference to questions of

European politics. Above all, the immigrant must learn to talk and think and be United States.

The immigrant of today can learn much from the experience of the immigrants of the past, who came to America prior to the Revolutionary War. We were then already, what we are now, a people of mixed blood. Many of our most illustrious Revolutionary names were borne by men of Huguenot blood—Jay, Sevier, Marion, Laurens. But the Huguenots were, on the whole, the best immigrants we have ever received; sooner than any other, and more completely, they became American in speech, conviction and thought. The Hollanders took longer than the Huguenots to become completely assimilated; nevertheless they in the end became so, immensely to their own advantage. One of the leading Revolutionary generals, Schuyler, and one of the Presidents of the United States, Van Buren, were of Dutch blood; but they rose to their positions, the highest in the land, because they had become Americans and had ceased being Hollanders. If they had remained members of an alien body, cut off by their speech and customs and belief from the rest of the American community, Schuyler would have lived his life as a boorish, provincial squire, and Van Buren would have ended his days a small tavern-keeper. So it is with the Germans of Pennsylvania. Those of them who became Americanized have furnished to our history a multitude of honorable names, from the days of the Muhlenbergs onward; but those who do not become Americanized form to the present day an unimportant body, of no significance in American existence. So it is with the Irish, who gave to Revolutionary annals such names as Carroll and Sullivan, and to the Civil War men like Sheridan—men who were Americans and nothing else; while the Irish who remain such, and busy them-

selves solely with alien politics, can have only an unhealthy influence upon American life, and can never rise as do their compatriots who become straightout Americans. Thus it has ever been with all people who have come hither, of whatever stock or blood. The same thing is true of the churches. A church which remains foreign, in language or spirit, is doomed.

But I wish to be distinctly understood on one point. Americanism is a question of spirit, conviction, and purpose, not of creed or birthplace. The politician who bids for the Irish or German vote, or the Irishman or German who votes as an Irishman or German, is despicable, for all citizens of this commonwealth should vote solely as Americans; but he is not a whit less despicable than the voter who votes against a good American, merely because that American happens to have been born in Ireland or Germany. Know-nothingism, in any form, is as utterly un-American as foreignism. It is a base outrage to oppose a man because of his religion or birthplace, and all good citizens will hold any such effort in abhorrence. A Scandinavian, a German, or an Irishman who has really become an American has the right to stand on exactly the same footing as any native-born citizen in the land, and is just as much entitled to the friendship and support, social and political, of his neighbors. Among the men with whom I have been thrown in close personal contact socially, and who have been among my staunchest friends and allies politically, are not a few Americans who happen to have been born on the other side of the water, in Germany, Ireland, Scandinavia; and there could be no better men in the ranks of our native-born citizens.

In closing, I cannot better express the ideal attitude that should be taken by our fellow citizens of

foreign birth than by quoting the words of a representative American, born in Germany, the Honorable Richard Guenther, of Wisconsin, in a speech taken at the time of the Samoan trouble. He said:

"We know as well as any other class of American citizens where our duties belong. We will work for our country in time of peace and fight for it in time of war, if a time of war should ever come. When I say our country, I mean, of course, our adopted country. I mean the United States of America. After passing through the crucible of naturalization, we are no longer Germans; we are Americans. Our attachments to America cannot be measured by the length of our residence here. We are Americans from the moment we touch the American shore until we are laid in American graves. We will fight for America whenever necessary. America, first, last, and all the time. America against Germany, America against the world; America, right or wrong, always America. We are Americans."

All honor to the man who spoke such words as those; and I believe they express the feelings of the great majority of those among our fellow-American citizens who were born abroad. We Americans can do our allotted task well only if we face it steadily and bravely, seeing but not fearing the dangers. Above all we must stand shoulder to shoulder, not asking as to the ancestry or creed of our comrades, but only demanding that they be in very truth Americans, and that we all work together, heart, hand, and head, for the honor and the greatness of our common country.

**WHAT TRUE AMERICANISM DEMANDS
OF THE AMERICAN CITIZEN**

WHAT TRUE AMERICANISM DEMANDS OF THE AMERICAN CITIZEN

By ROGER SHERMAN

THE birthday of Washington, the one man of all recorded time to whom all civilized nations have, with one voice, awarded the crown of true greatness, brings memories of heroic times and heroic deeds, and inspires one dominant thought and one most appropriate theme upon which we may dwell with pride and with profit.

The thought is that we are Americans, standing in the midst of our heritage of this great land, with its unlimited wealth of resources and its boundless possibilities, with hearts swelling with noble yearning of patriotism born of the traditions and the memories we are so fortunate as to have had handed down to us.

The theme is Americanism. What is it? What have we which we should distinguish by that name? What are the typical ideas, principles, and ideals of which we, so far as in each of us lies, should be the special custodians, and which, as they have come to us illustrated with many a tradition of wisdom under difficulty, of endurance, self-sacrifice, and of valor, we should guard, cherish, inculcate, and, in our turn, pass on to the ages yet to come? Noblesse oblige. With fortune's favors come responsibilities; traditions and opportunities, such as those of the descendants of revolutionary sires, carry with them grave duties to their country and to themselves.

Foremost among American typical ideas, we may place the ever present love of liberty, and with it its correlative obligation of obedience to law. The Anglo-Saxon, first among the peoples of the earth, has attempted to solve the problem of liberty subjected to law, and of law subjected to liberty. As there can be with us no law without liberty of the individual, so there can be no desirable liberty which is not restrained by law. The liberty to do right is for the individual, in all directions of growth and development, so long as he trespasses not upon the equal right of his fellow; the function of law is to lay its restraining hand upon liberty that dares to do wrong to the equal; for a wrong done to one is a wrong to all, and a wrong to the state. Growing lawlessness is one of our great national dangers—lawlessness in high places; lawless business methods; lawlessness of public men; a standard of obedience which results only in evasion; a rule of conduct restrained only by a view of the opening doors of a penitentiary. Lawlessness begets lawlessness. The constant spectacle of legislators faithless to their obligations, to their constituents, and to the state; of corrupt politicians escaping punishment, and holding places once considered honorable, by grace of a dollar; of great corporations and combinations of capital, lifting themselves beyond the reach of the individual citizen, and, in some instances, beyond that of the commonwealth itself, can but breed other lawlessness, and tend to reduce society to its original condition—that of savage warfare, intensified and made more destructive to the innocent by the instrumentalities which modern science has made available.

The American, true to his country and its traditions, must therefore necessarily hold all citizens to obedience to law, and demand that all shall be alike

amenable to it and equal before it. The lawlessness of power is most dangerous. The eternal vigilance that guards our liberties cannot avail without that constant watchfulness of the encroachments of power, which, history teaches us, precede the downfall of freedom; insidious and specious claims; usurpation masked behind false pretense or accepted truths, or public danger, real or imagined—usurpation, not always by the government or the throne, but by those greater forces behind the throne. Stability of the law and certainty of its equal enforcement are the sure safeguards against anarchy, which is but the ultimate development of all lawlessness. The support of law and order should be required of those in places of power with equal firmness as from the weak.

Not least among the traits of our ancestors were sturdy independence and self-reliance. Necessities of their existence—these entered into their daily lives and found expression in many of the provisions of the governments which they formed. These were among the earliest developments of that democratic spirit which recognizes the man for what he is and has done, rather than for his pretensions, his wealth, or his ancestry. As Daniel Webster pointed out in his oration, delivered at the two hundredth anniversary of the landing of the Pilgrims, the strength of our government depends greatly upon the system adopted by the first settlers of New England, by which the frequent division of estates was made certain, and the accumulation of great landed properties was declared to be against public policy. The equal distribution of wealth was aimed at, and the independence and mutual respect that grew up from small holdings of farms did much to build up and preserve our national character. When the soil is owned by great numbers of independent freemen,

no foreign foe is to be feared. The American at his best does not need to be nursed or coddled. An open field and a fair fight are all the demands he makes of fortune or of his fellow man.

Simplicity of manners, and the secondary place accorded to mere wealth, were characteristics of the men and women who gave life to colonial independence and molded our commonwealth into a national Union. In those days wealth brought culture, refinement, and comfort; but history of that era fails to record a single instance where it purchased a senatorship, a cabinet position, or a judgeship; or yet, where these were purchased for a subservient tool who was needed as an advocate of some great wrong. Our heritage is not one of luxury, nor are our lives to be devoted to the aping of foreign manners, with their attendants of foreign vices.

But, while we dwell with pardonable pride upon the early history of our country, recall with admiration the stern and simple virtues of those who made that history, and rever in silent thought the great patriot who led in that epoch-making struggle, we ought not to forget the demands of the present hour upon our citizenship, nor close our eyes to the impending dangers beneath which we are drifting. Are our people walking in a fool's paradise of mutual admiration, cheered on their way by constantly recurring pyrotechnic displays of adulation and choruses of self-glorification? Are we in danger of mistaking our self-satisfaction for patriotism? Do we even now realize the dangers of the sectional spirit, against which Washington warned his countrymen? Are there not too many excellent people who believe that, by reason of our soil, or climate, or race, or atmosphere, or form of government, the people of the United States are to be exempted from the calamities which history tells us have befallen other na-

tions? Is there not a feeling that, on this continent and in this age, men are in some unknown way to be freed from the consequences of vices and imperfections which destroyed mankind in the past, and that, for us, nature may have made special arrangements, and suspended the usual operations of cause and effect for the exceptional care of her favorite children of the West? No matter what happens, that the United States will be, in that purely American and most comprehensive phrase, "all right," is the inward belief which enables the average citizen to go on from year to year, oblivious to the growth of dangerous evils, and complacently leaving them to the nursing care of his very particular friend, the professional politician. Yet, it is apparent that there are great numbers of people, increasing year by year, who are coming to realize that even republics may not always be perfect, and that the American Republic can be in some things improved, even if the form of government cannot be. The very patriotism which animates us, like the love of the parent for the child, leads us to see that there are diseases in the body politic which are not mere eruptions upon the surface, but are deadly in their character; and, though the infant is strong and its constitution perfect, it may not, nevertheless, be able to throw off sickness without a little care on the part of its natural guardians.

In a republic, as has been so often said as to be now a platitude, the government will be good or bad in exact ratio to the goodness or badness of the citizens who create it, for it rests upon their intelligence and political virtue. Above all, therefore, should we guard from all attacks our system of public education. Our public schools should be the nurseries of pure Americanism. Here should be taught—aye, to the exclusion, if need be, of other studies now occupy-

ing attention—American history, the principles of our form of government as laid down in our Constitutions and bills of rights, the practical duties of citizenship, and the need of their active performance. Needed reforms should not be left to the practical politician, for he moves to their accomplishment with lagging and reluctant step, accelerated only by the prodding bayonets of outraged citizenship. What he wants is votes, and he never “panders to the moral sense” of the community if he can avoid it.

And this brings us to the consideration of another characteristic of the early days—the moral sentiment which prevailed in the formative era, and entered into the struggle for independence, and the religious force always present in its inception and throughout its progress. In that epoch, the Ten Commandments had a place in politics, as well as in daily life. Call the early New England system a “theocracy” if you will; yet, in the discussions of public affairs, in the choosing of officials, in the deliberations of the town meeting, morals and religions were in their politics and they heeded not the sneer that they were infusing politics into their religion. What though, seeing less clearly by the dim lights of their age, they sometimes became fanatics and persecutors, were they not right in teaching and practicing that the principles of religion and morality should govern men in the discharge of their duties as citizens, as well as otherwise?

Can we, in our day, hope long to maintain our system upon the plane of good government, if we sanction the methods now everywhere around us, permitting all the vile passions of barbarous—yea, of savage—man to be let loose in all manner of evil-doing every year, and call these elections?

Shall we turn over our public schools—aye, our very homes—to the rule of law-breakers, and they who bear false witness?

Those who stand on the watch-towers of human progress are warning us that we are upon the border-line beyond which lie great political and social changes, and that the hour is close upon us when once again the American who loves his country must choose the ground upon which he will stand to fight again a battle for the race. The great pendulum of time has swung once again to the point of transition, and the hour-hand points to the day—yea, to the very moment—when old ideas and formulas and time-worn methods no longer serve to still the beatings of the great heart of humanity, and man, with uplifted brow, and tingling nerve and bounding pulse, is about to march forward to another stage of his unknowable destiny.

What this change will be we know not. That it will be of the nature of a revolution cannot well be doubted. That there will be a more perfect Union is probable. That money will be less a god of our people we may sincerely hope. We hear the distant tread of myriad feet; the sound of strange cries is wafted to us from the distance, and, like the dumb beasts in the atmosphere of a coming storm, we stand silent and appalled at what we cannot avert. But we need not fear, for, whatever the coming change may bring forth, it will be in the interest and advancement of the cause of humanity and popular government; and they will come forth upon a still higher plane for the progress of the race. Law and order will be maintained, for the Anglo-Saxon is their guardian and protector, but they will be the law and order of a self-governed people, freed from industrial tyranny and the domination of the golden calf.

God grant that, when this hour strikes, we and each of us may be found anchored to the ideas and principles which America has given to the world, and that we shall remember that names are nothing; the achievements or rank of ancestors or kindred are nothing; long descent is nothing; but the culture and growth of each individual in strength of mind and body is everything; fixed principles of citizenship, of morals, and of business conduct are everything; courage to assert and maintain conscientious and well considered convictions, and to do what we believe, is everything. A feeble race of men, drifting down the stream of time, the sport of shifting currents, and wrecked ever and anon upon the same shoals and rocks of error and folly, cannot too soon perish. But a strong, conscientious, courageous, self-respecting people, standing firm for the right, for human progress, for human liberty, whether rich or poor, high among the rulers of the nations or walking in humble estate, commands and receives respect, and bears with it the seed and promise of continued life. Nor should we forget that sublime saying of the early Puritan Republican, who, having condemned his king to death, was equally as firm in resisting the usurpations of his successor, that "resistance to tyrants is obedience to God."

In the veins of all the races that make up the manhood of America, there flows no drop of blood which has not been purified and made strong by rebellion against wrong. Whether Teuton, Celt or Saxon, Frank or Scot, in all ages and in all lands, on the plains and mountains of Europe, at Runnymede and Bosworth Field, from Blackwater to Bannockburn, from Lexington to Yorktown, these have wrung from the hands of overbearing power, civil and religious liberty and the crowns of honor. Sad will be the day when the American people forget their

traditions and their history, and no longer remember that the country they love, the institutions they cherish, and the freedom they hope to preserve, were born from the throes of armed resistance to tyranny, and nursed in the rugged arms of fearless men.

THE GLORY OF PATRIOTISM

BY
WILLIAM C. COOPER

THE GLORY OF PATRIOTISM

By WILLIAM MCKINLEY

(A pathetic interest attaches to this selection from the address by one who, a few years later, was himself numbered among our Martyr-Presidents. It was delivered on July 4, 1894, at the dedication of the Cuyahoga County Soldiers' and Sailors' Monuments at Cleveland, O.)

IT was in this square that the remains of the martyred Lincoln, the great emancipator, rested as they journeyed to his Western home. It was on this very spot, almost where we stand today, that the whole population of Northern Ohio viewed for the last time him who had been captain of all our armies under the Constitution, and whose death was a sacrifice to the great cause of freedom and the Union.

Here, too, my fellow citizens, on this very spot, the remains of the immortal Garfield lay in state, attended by the Congress of the United States, by the supreme judiciary of the nation, by the officers of the army and the navy of the United States, by the governors and legislators of all the surrounding states. The steady tread of a mourning state and nation was uninterrupted through the entire night. It was here that the people looked upon his face for the last time forever.

Interesting, my fellow citizens, and patriotic as the scenes witnessed in the past have been, I venture to say that none of them has stirred so many memories or quickened such patriotic feeling as the services we perform today in the dedication of this beautiful structure to the memory of the loyal sol-

diers and sailors who contributed their lives to save the government from dissolution. Cuyahoga county can well be proud of this great memorial. It is a fitting tribute to the soldiers living and the soldiers dead. Is it any wonder that these old soldiers love the flag under whose folds he fought and for which his comrades shed so much blood? He loves it for what it is and for what it represents. It embodies the purposes and history of the government itself. It records the achievements of its defenders upon land and sea. It heralds the heroism and sacrifices of our Revolutionary fathers who planted free government on this continent and dedicated it to liberty forever. It attests the struggles of our army and the valor of our citizens in all the wars of the Republic. It has been sanctified by the blood of our best and our bravest. It records the achievements of Washington and the martyrdom of Lincoln. It has been bathed in the tears of a sorrowing people. It has been glorified in the hearts of a freedom-loving people, not only at home but in every part of the world. Our flag expresses more than any other flag; it means more than any other national emblem. It expresses the will of a free people and proclaims that they are supreme and that they acknowledge no earthly sovereign other than themselves. It never was assaulted that thousands did not rise up to smite the assailant. Glorious old banner!

What does this monument mean? It means the immortal principle of patriotism. It means love of country. It means not only love of country but love of liberty! This alone could have inspired over 2,800,000 Union soldiers to leave home and family and to offer to die if need be for our imperiled institutions. Love of country alone could have inspired 300,000 men to die for the Union. Nothing less sacred than this love of country could have sus-

tained 175,000 brave men, who suffered and starved and died in rebel prisons. Nor could anything else have given comfort to the 500,000 maimed and diseased, who escaped immediate death in siege and battle to end in torment the remainder of their patriot lives. It is a noble patriotism, and it impels you, my fellow countrymen, to erect this magnificent monument to their honor and memory. And similar love of country will inspire your remotest descendants to do homage to their valor and bravery forever.

This is what the monument means. The lesson it conveys to the present and all future generations. It means that the cause in which they died was a righteous one, and it means that the cause which triumphed through their valor shall be perpetuated for all time.

Charles Sumner said that President Lincoln was put to death by the enemies of the Declaration of Independence, but, said Sumner, though dead, he would always continue to guard that title-deed of the human race. So that it does seem to me that every time we erect a new monument to the memory of the Union soldiers and sailors, we are cementing the very foundations of the government itself. We are doing that which will strengthen our devotion to free institutions and insure their permanency for the remotest posterity. We are not only rendering immortal the fame of the men who participated in the war by these magnificent structures, but we are doing better than that. We are making immortal the principles for which they contended and the union of free men for which they died.

Their erection may be a matter of comparatively little importance or concern to the Union soldiers who are still living, but no one can accurately foretell the value and importance of their influence upon

the young men and the young women from whom the Republic must draw her future defenders. Every time we erect a monument, every time we do honor to the soldiers of the Republic, we reaffirm our devotion to the country, to the glorious flag, to the immortal principles of liberty, equality, and justice, which have made the United States unrivaled among the nations of the world. The union of these states must be perpetual. That is what our brave boys died for. That is what this monument must mean; and such monuments as this are evidences that the people intend to take care that the great decrees of the war shall be unquestioned and supreme.

The unity of the Republic is secure so long as we continue to honor the memory of the men who died by the tens of thousands to preserve it. The dissolution of the Union is impossible so long as we continue to inculcate lessons of fraternity, unity, and patriotism, and erect monuments to perpetuate these sentiments.

Such monuments as these have another meaning, which is one dear to the hearts of many who stand by me. It is, as Mr. Lincoln said at Gettysburg, that the dead shall not have died in vain; that the nation's later birth of freedom and the people's gain of their own sovereignty shall not perish from the earth. That is what this monument means. That is the lesson of true patriotism; that what was won in war shall be worn in peace.

But we must not forget, my fellow countrymen, that the Union which these brave men preserved, and the liberties which they secured, places upon us, the living, the gravest responsibility. We are the freest government on the face of the earth. Our strength rests in our patriotism. Anarchy flees before patriotism. Peace and order and security and liberty are safe so long as love of country burns in

the hearts of the people. It should not be forgotten, however, that liberty does not mean lawlessness. Liberty to make our own laws does not give us license to break them. Liberty to make our own laws commands a duty to observe them ourselves and enforce obedience among all others within their jurisdiction. Liberty, my fellow citizens, is responsibility, and responsibility is duty, and that duty is to preserve the exceptional liberty we enjoy within the law and for the law and by the law.

PATRIOTISM AND POLITICS

PATRIOTISM AND POLITICS

By JAMES CARDINAL GIBBONS

I HAVE no apology to make for offering some reflections on the political outlook of the nation; for my rights as a citizen were not abdicated or abridged on becoming a Christian prelate, and the sacred character which I profess, far from lessening, rather increases, my obligations to my country.

In answer to those who affirm that a churchman is not qualified to discuss politics, by reason of his sacred calling, which removes him from the political arena, I would say that this statement may be true in the sense that a clergyman, as such, should not be a heated partisan of any political party; but it is not true in the sense that he is unfitted by his sacred profession for discussing political principles. His very seclusion from popular agitation gives him a vantage-ground over those that are in the whirlpool of party strife, just as they who have never witnessed Shakespeare's plays performed on the stage are better qualified to judge of the genius of the author and the literary merit of his productions than they who witness the plays and the environment of stage scenery.

Every man in the Commonwealth leads a dual life—a private life under the shadow of the home, and a public life under the aegis of the state. As a father, a husband, or a son, he owes certain duties to the family; as a citizen, he owes certain obligations to his country. These civic virtues are all comprised under the generic name, patriotism.

Patriotism means love of country. Its root is the Latin word *patria*, a word not domesticated in English. The French have it in *patrie*; the Anglo-Saxon and Teutonic races have it literally translated in Fatherland. "Fatherland," says Cicero, "is the common parent of us all: *Patria est communis omnium nostrum parens.*" It is the paternal home extended, the family reaching out to the city, the province, the country. Hence, with us, fatherland and country have come to be synonymous. Country in this sense comprises two elements, the soil itself and the men who live thereon. We love the soil in which our fathers sleep, *terra patrum, terra patria*, the land in which we were born. We love the men who as fellow dwellers share that land with us. When Dom Uedro died in Paris, he was laid to his last sleep on Brazilian soil, which he had carried away with him for that very purpose. Let a citizen from Maine meet a citizen from California on the shores of the Bosporus or on the bank of the Tiber, they will, at once, forget that at home they dwelt three thousand miles apart. State lines are obliterated, party differences are laid aside, religious animosities, if such had existed, are extinguished. They warmly clasp hands, they remember only that they are fellow American citizens, children of the same mother, fellow dwellers in the same land over which floats the star-spangled banner.

Patriotism implies not only love of soil and of fellow citizens, but also, and principally, attachment to the laws, institutions, and government of one's country; filial admiration of the heroes, statesmen, and men of genius, who have contributed to its renown by the valor of their arms, the wisdom of their counsel, for their literary fame. It includes, also, an ardent zeal for the maintenance of those sacred principles that secure to the citizen freedom of con-

science, and an earnest determination to consecrate his life, if necessary, *pro aris et focis*, in defense of altar and fireside, of God and Fatherland. Patriotism is a universal sentiment of the race:

“Breathes there a man with soul so dead
“Who never to himself hath said,
“This is my own, my native land!””

Patriotism is not a sentiment born of material and physical well-being; it is a sentiment that the poverty of country and the discomforts of climate do not diminish, that the inflictions of conquest and despotism do not augment. The truth is, it is a rational instinct placed by the Creator in the breast of men. When God made man a social being, He gave him a sentiment that urges him to sacrifice himself for his family and his country, which, as it were, his larger family. “Dear are ancestors, dear are children, dear are relatives and friends; all these loves are contained in love of country.”

The Roman was singularly devoted to his country. *Civis Romanus sum* was his proudest boast. He justly gloried in being a citizen of a republic conspicuous for its centuries of endurance.

Patriotism finds outward and, so to say, material expression, in respect for the flag that symbolizes the country, and for the chief magistrate who represents it. Perhaps it is only when an American travels abroad that he fully realizes how deep-rooted is his love for his native country. The sentiment of patriotism, which may be dormant at home, is aroused and quickened in foreign lands. The sight of an American flag flying from the mast of a ship in mid-ocean or in some foreign port, awakes in him unwonted emotion and enthusiasm.

Love of country, as I have described it, which is fundamentally an ethical sentiment, and which was

such in all nations, even before Christian Revelation was given to the world, and which is such today among nations that have not heard the Christian message, is elevated, ennobled, and perfected by the religion of Christ. Patriotism in non-Christian times and races has inspired heroism even unto death. We do not pretend that Christian patriotism can do more. But we do say that Christianity has given to patriotism and to the sacrifices it demands, nobler motives and higher ideals.

If the virtue of patriotism was held in such esteem by pagan Greece and Rome, guided only by the light of reason, how much more should it be cherished by Christians, instructed as they are by the voice of Revelation! The Founder of the Christian religion has ennobled and sanctified loyalty to country by the influence of His example and the force of His teaching.

Next to God, our country should hold the strongest place in our affections. Impressed, as we ought to be, with a profound sense of the blessings which our system of government continues to bestow on us, we shall have a corresponding dread lest these blessings should be withdrawn from us. It is a sacred duty for every American to do all in his power to perpetuate our civil institutions and to avert the dangers that threaten them.

The system of government which obtains in the United States is tersely described in the well-known sentence: "A government of the people, by the people, for the people;" which may be paraphrased thus: Ours is a government in which the people are ruled by the representatives of their own choice, and for the benefit of the people themselves.

Our rulers are called the servants of the people, since they are appointed to fulfill the people's wishes; and the people are called the sovereign people, be-

cause it is by their sovereign voice that their rulers are elected.

The method by which the supreme will of the people is registered is the ballot-box. This is the oracle that proclaims their choice. This is the balance in which the merits of the candidates are weighed. The heavier scale determines at once the decision of the majority and the selection of the candidate.

And what spectacle is more sublime than the sight of ten millions of citizens determining, not by the bullet, but by the ballot, the ruler that is to preside over the nation's destinies for four years!

“A weapon that comes down as still
As snowflakes fall upon the sod;
But executes a freeman's will,
As lightning does the will of God:
And from its force nor doors nor locks
Can shield you, 't is the ballot-box.”

But the greatest blessings are liable to be perverted. Our Republic, while retaining its form and name, may degenerate into most odious tyranny; and the irresponsible despotism of the multitude is more galling, because more difficult to be shaken off, than that of the autocrat.

Our Christian civilization gives us no immunity from political corruption and disaster. The oft-repeated cry of election frauds should not be treated with indifference, though, in many instances, no doubt, it is the empty charge of defeated partisans against successful rivals, or the heated language of a party press.

But after all reasonable allowances are made, enough remains of a substantial character to be ominous. In every possible way, by tickets insidiously printed, by “colonizing,” “repeating,” and “personation,” frauds are attempted, and too often successfully, on the ballot. I am informed by a trust-

worthy gentleman that, in certain localities, the adherents of one party, while proof against bribes from their political opponents, will exact compensation before giving their votes even to their own party candidates. The evil would be great enough if it were restricted to examples of this kind, but it becomes much more serious when large bodies of men are debauched by the bribes or intimidated by the threats of wealthy corporations.

But when the very foundations of legislation are polluted by lobbying and other corrupt means; when the hand of bribery is extended, and not always in vain, to our municipal, state, and national legislators; when our law-makers become the pliant tools of some selfish and greedy capitalists, instead of subserving the interests of the people—then, indeed, all patriotic citizens have reason to be alarmed about the future of our country.

The man who would poison the wells and springs of the land is justly regarded as a human monster, as an enemy of society, and no punishment could be too severe for him. Is he not as great a criminal who would poison and pollute the ballot-box, the unfailing fount and well-spring of our civil freedom and of our national life?

The privilege of voting is not an inherent or inalienable right. It is a solemn and sacred trust, to be used in strict accordance with the intentions of the authority from which it emanates.

When a citizen exercises his honest judgment in casting his vote for the most acceptable candidate, he is making a legitimate use of the prerogatives confided to him. But when he sells or barter his vote, when he disposes of it to the highest bidder, like a merchantable commodity, he is clearly violating his trust and degrading his citizenship.

The enormity of the offense will be readily perceived by pushing it to its logical consequences:

First. Once the purchase of votes is tolerated or condoned or connived at, the obvious result is that the right of suffrage becomes a solemn farce. The sovereignty is no longer vested in the people, but in corrupt politicians or in wealthy corporations; money instead of merit becomes the test of success; the election is determined, not by the personal fitness and integrity of the candidate, but by the length of his own or his patron's purse; and the aspirant for office owes his victory, not to the votes of his constituents, but to the grace of some political boss.

Second. The better class of citizens will lose heart and absent themselves from the polls, knowing that it is useless to engage in a contest which is already decided by irresponsible managers.

Third. Disappointment, vexation, and righteous indignation will burn in the breasts of upright citizens. These sentiments will be followed by apathy and despair of carrying out successfully a popular form of government. The enemies of the Republic will then take advantage of the existing scandals to decry our system and laud absolute monarchies. The last stage in the drama is political stagnation or revolution.

But, happily, the American people are not prone to despondency or to political stagnation, or to revolution outside of the lines of legitimate reform. They are cheerful and hopeful, because they are conscious of their strength; and well they may be, when they reflect on the century of ordeals through which they have triumphantly passed. They are vigilant, because they are liberty-loving, and they know that "Eternal vigilance is the price of liberty." They are an enlightened and practical people; therefore are they quick to detect and prompt to resist the

first inroads of corruption. They know well how to apply the antidote to the political distemper of the hour. They have the elasticity of mind and heart to rise to the occasion. They will never suffer the stately temple of the Constitution to be overthrown, but will hasten to strengthen the foundation where it is undermined, to repair every breach, and to readjust every stone of the glorious edifice.

In conclusion, I shall presume to suggest, with all deference, a brief outline of what appear to me the most efficient means to preserve purity of elections and to perpetuate our political independence.

Many partial remedies may be named. The main purpose of these remedies is to foster and preserve what may be called a public conscience. In the individual man, conscience is that inner light which directs him in the knowledge and choice of good and evil, that practical judgment which pronounces over every one of his acts, that it is right or wrong, moral or immoral. Now, this light and judgment which directs man in the ordinary personal affairs of life, must be his guide also in the affairs of his political life; for he is answerable to God for his political, as well as his personal life.

The individual conscience is an enlightenment and a guide; and it is self illumined and directed by the great maxims of natural law and the conclusions which the mind is constantly deducing from those maxims. Now, is there not a set of maxims and opinions that fulfill the office of guides to the masses in their political life?

The means which I propose are:

First. The enactment of strict and wholesome laws for preventing bribery and the corruption of the ballot-box, accompanied with condign punishment against the violators of the law. Let such protection and privacy be thrown around the polling

booth that the humblest citizen may be able to record his vote without fear of pressure or of interference from those that might influence him. Such a remedy has already been attempted, with more or less success, in some states, by the introduction of new systems of voting.

Second. A pure, enlightened, and independent judiciary to interpret and enforce the laws.

Third. A vigilant and fearless press that will reflect and create a healthy public opinion. Such a press, guided by the laws of justice and the spirit of American institutions, is the organ and the reflection of national thought, the outer bulwark of the rights and liberties of the citizen against the usurpations of authority and the injustice of parties, the speediest and most direct castigator of vice and dishonesty. It is a duty of the citizens of a free country not only to encourage the press, but to cooperate with it; and it is a misfortune for any land when its leading men neglect to instruct their country and act on public opinion through this powerful instrument for good.

Fourth. The incorporation into our school system of familiar lessons embodying a history of our country, a brief sketch of her heroes, statesmen, and patriots, whose civic virtues the rising generation will thus be taught to emulate. The duties and rights of citizens along with reverence for our political institutions should likewise be inculcated. There is danger that the country whose history is not known and cherished will become to the masses only an abstraction, or, at best, that it will be in touch with them only on its less lovable side, the taxes and burdens it imposes. Men lost in an unnatural isolation, strangers to the past life of their nation, living on a soil to which they hold only by the passing interests of the present, as atoms without

cohesion, are not able to realize and bring home to themselves the claims of a country that not only is, but that was before them, and that will be, as history alone can teach, long after them.

Fifth. A more hearty celebration of our national holidays.

The Hebrew people, as we learn from sacred scripture, were commanded to commemorate by an annual observance their liberation from the bondage of Pharaoh and their entrance into the Promised Land. In nearly all civilized countries there are certain days set apart to recall some great events in their national history, and to pay honor to the memory of the heroes who figured in them. The United States has already established three national holidays. The first is consecrated to the birth of the the "Father of his Country;" the second, to the birth of the nation; and the third is observed as a day of Thanksgiving to God for his manifold blessings to the nation. On those days, when the usual occupations of life are suspended, every citizen has leisure to study and admire the political institutions of his country, and to thank God for the benedictions that He has poured out on us as a people. In contemplating these blessings, we may well repeat with the Royal Prophet: "He hath not done in like manner to every nation, and His judgments He hath not made manifest to them."

If holidays are useful to those that are to the manner born, they are still more imperatively demanded for the foreign population constantly flowing into our country, and which consists of persons who are strangers to our civil institutions. The annually recurring holidays will create and develop in their minds a knowledge of our history and admiration for our system of government. It will help, also, to mold our people into unity of political faith.

By the young, especially, are holidays welcomed with keen delight; and as there is a natural, though unconscious, association in the mind between the civic festivity and the cause that gave it birth, their attachment to the day will extend to the patriotic event or to the men whose anniversary is celebrated.

Sixth. The maintenance of party lines is an indispensable means for preserving political purity. One party watches the other, takes note of its shortcomings, its blunders and defects; and it has at its disposal the means for rebuking any abuse of power on the part of the dominant side, by appealing to the country at the tribunal of the ballot-box. The healthier periods of the Roman Republic were periods of fierce political strife. The citizens of Athens were not allowed to remain neutral. They were compelled to take sides on all questions of great public interest. Not only was every citizen obliged to vote, but the successful candidate was bound to accept the office to which he was called, and to subordinate his taste for private life to the public interests.

England owes much of her greatness and liberty to the active and aggressive vigilance of opposing political camps. Political parties are the outcome of political freedom. Parties are not to be confounded with factions. The former contend for a principle, the latter struggle for a master.

To jurists and statesmen these considerations may seem trite, elementary, and commonplace. But, like all elementary principles, they are of vital import. They should be kept prominently in view before the people, and not obscured in a maze of wordy technicalities. They are landmarks to guide men in the path of public duty, and they would vastly contribute to the good order and stability of the commonwealth if they were indelibly stamped on the heart and memory of every American citizen.

THE YOUNG MAN IN POLITICS

THE YOUNG MAN IN POLITICS

By GROVER CLEVELAND

POLITICS in their best and highest meaning may be defined as the science and practice of government, having for its functions and purposes the promotion of the peace and safety of a state or nation, and the promotion of its welfare.

It is proposed, however, at this time to give to the term another signification, and, to the American mind, one more familiar. It will best suit our purpose to deal with politics as constituting such an interest and activity in public affairs on the part of our government, in such a manner as will, in the judgment of the members of the organization, conduce to the welfare of our people and the prosperity of our country. Of course this effort must include the diligent persuasion of voters to party support, and the earnest presentation of every honest and legitimate inducement to labor for party supremacy. It may readily be conceded that there are those connected with every party who value most in politics the individual benefits they receive, or hope to receive, from partisan victories; but as a general rule these do not dominate party action. No political organization is worth considering that is not based upon certain governmental and fundamental doctrines and beliefs; and no party can be useful or enduring unless it is controlled by those of its members who are disinterested and patriotic. It may also be conceded that in these latter days the heat of party strife has given birth within party lines to

harmful intrigue and demoralizing trickery; but these evils are not necessarily related to party organization; they are less influential than they are sometimes supposed to be, and they are largely chargeable to indifference and neglect of civic duty on the part of those who boast of their respectability and plume themselves on their freedom from political contamination.

Whatever undesirable conditions may attach themselves to party organizations, and however plausibly sham respectability and careless citizenship may attempt to excuse their abstention from political activity, two things are absolutely certain: first, that such abstention promotes and strengthens party evils, by giving more room and better opportunity in public affairs to those whose activity is selfish and whose methods are odious; and second, that the failure of any body of our citizens effectively to interest themselves in politics, directly tends to a dangerous perversion of the theory of our government—which devolves all the functions of governmental power upon the entire body of our people. These considerations plainly lead to the suggestion that not only is it in all circumstances the duty of every citizen to participate in political action, but that if evils have crept into party organizations, and selfish men have obtained a dangerous share of control, so much more is it the duty of citizens whose motives are disinterested and whose purposes are patriotic to come to the rescue.

Thus the interposition of our people in public affairs, which is essential to our national health, should be universal and constant. It should also be studious and intelligent—to the end that as new conditions and exigencies arise in our progressive and restless national life, they may be wisely treated and deliberately judged, in the light of the fundamental

principles which we have adopted as the law of our existence as a free and self-governing people.

The Grave Conditions Confronting Us

We have never been free from questions vital to our country's welfare that pressed for decision and settlement before the high tribunal of popular suffrage. It may, however, be truthfully said that the problems now presented to our thoughtful citizenship are of more serious import and involve more stupendous and far-reaching consequence than any that have before arisen in our history. They encroach upon all conservative ideas of the mission and purpose of the American nation. They confront us with a startling interpretation of American growth and development, and ask us to look with toleration, if not admiration, upon the "hateful mien" of American conquest.

Those who love our country as our fathers planned it are sadly fearing that, even though its staunch framework may withstand the winds and waves of the present storm, it will never be the same again. Our country's anticipated aggrandizement is set against our national morality; and good men are afflicted by the doubtful balance of right and wrong. Other questions which are also of vast importance are crowding upon us for solution. What is the effect upon the general welfare of the trusts and combinations in business enterprises which have lately so tremendously increased among us? With a balance of evil standing against them, how shall they be extirpated or restrained? Has the time come, or can it ever come, when our government can be justified in appropriating money exacted from all the people to upbuild certain branches of business for the benefit of a few beneficiaries? Still other subjects

belonging to the field of politics are pending which deeply concern the welfare of our countrymen. Without especially enumerating these, it is perfectly clear that at this time we stand in urgent need of the kind of citizenship that not only apprehends the importance of present national problems, but is willing to devote time and effort to their proper solution.

Though none should avoid this duty, the young men of our country ought especially to be active in its discharge. The future of the nation is with them; and, as long as the country lasts, its growth and advance must make our future more and more solemn and impressive. The new conditions that now confront us for weal or woe must yield their harvest for the generation just entering upon the scene of citizenship. Their hopes and their aspirations are interwoven with the treatment now accorded to these conditions; and manifestly they are concerned more than all others in their safe adjustment and settlement. On their own account, therefore, they should not leave this to others whose interest in the country is less enduring. Thus, for general reasons based upon obligations of citizenship, and for special reasons related to their stake in the future of American free institutions, our young men should identify themselves with political movements.

Their participation, however, should be intelligent, and its direction should be determined by the exercise of the most careful individual judgment. Frequently—perhaps as often as otherwise—young men merely drift in their political action, and without thought or examination adopt the political beliefs of their fathers and follow the same party association. This is not the kind of identification with political movements which young men should accord to their interests in the future national situation, or to their country's well-being. The day should come to every

young man when he soberly realizes the necessity of settling for himself and by the exercise of his own intelligent judgment, as a prerogative of citizenship, the political beliefs and the general rules for the conduct of public affairs which he will advocate and support.

Of course his duty is not done when he arrives at a conclusion on this subject; for his identification with politics is by no means useful or complete when he merely contemplates with satisfaction the beliefs he has adopted, and congratulates himself upon the assertion of his political manhood. It remains for him to animate these beliefs with force and power, to the end that they may become effective in the accomplishment of political results. The obvious way by which this can be effected is through association with others holding like beliefs, or, in other words, through party membership. But neither the holding of distinct political beliefs nor the mere attachment to a party organization is sufficient to fill the measure of our young voter's political duty, and absolve him from further effort. He should labor for the propagation of his beliefs by actively taking part in the operations of the organization to which he belongs, and by aiding in the maintenance of its strength and vigor.

The idea much too commonly prevails that it is no impeachment of respectability to belong to a party while standing aloof from the details of party management, but that real participation in such management tends to personal discredit and demoralization. This is a great mistake. If it is true that our young men should become seriously interested in political affairs for the good of their country, and for their own benefit as the future occupants of our land, it is perfectly plain that the more practically and energetically this interest is manifested the bet-

ter will political duty be discharged. Besides, there is no disrepute attached to any legitimate phase of party organization work; and any young man who cannot better appreciate this work than to suppose it to consist of systematic trickery and dishonest intrigue, will do a service to political decency and to his country by forswearing party activity and becoming a political drone. A more general participation in politics on the part of our young men is not desirable for the purpose of adding to the shrewd manipulation and questionable methods of party operation; but rather that these may be corrected by a greater infusion of devotion to party principles for the sake of their usefulness, by a more intelligent and outspoken advocacy of party, and by a clean, earnest strife for party supremacy as a means of national prosperity.

The Necessity for Work on Partisan Lines

Party association in defeat as well as in victory, coupled with its assertion of political principles when they are intelligently understood and patriotically and zealously professed, gives birth to a love and veneration for a chosen organization which binds its members so closely and so strongly that much of sacrifice will be endured for its sake. Besides, it is difficult for a devoted adherent, who believes deeply and earnestly, to convince himself that even with many and grievous faults his party cannot serve the country better than any in opposition to it; and underlying all these considerations is the conviction that party association is necessary to the proper accomplishment of our plan of popular government.

These things intensify in the strongest possible way the importance to a young citizen of a deliberate and thoughtful choice of party affiliation, and not less

the importance of constant and decent activity in party service. In this way he will aid in keeping the organization to which he is attached true to its principles, and maintaining it as a safe agency for the execution of the people's will; and in this way he will aid in securing for himself the opportunity to labor without perplexity for the doctrines which he believes will subserve his country's welfare, while preserving his affection and devotion for his party without distressing moral misgivings.

What has been thus far said assumes not only the need of party organization in American politics, but it also suggests as a general proposition that effective political action will be found within party lines. These seem at least to be the natural conditions. There has grown up among us, however, a large contingent of independent or unattached voters, whose influence in the decision of public questions by the people cannot be ignored; and many of these unattached and independent voters are young men. This situation indicates either a failure on the part of this portion of our citizenship to give due importance to the effectiveness of political action through party association, or a failure on the part of existing organized parties to present to them satisfactory doctrines or methods. Whatever the reason may be, this abstention from party affiliation gives rise to a belief that the situation ought to receive attention. If a large share of the thousands of our young men who yearly cross the threshold of responsible citizenship are heedless of civic obligations, measures should be taken to stimulate their sense of political duty. If, on the other hand, the condition of parties is such as to repel the most thoughtful and best-intentioned of this constantly increasing contingent of her voters, no time should be lost in applying a remedy. Parties cannot afford to en-

courage the reenforcement of an independent army which stands ready to engage on either side, and to make or mar the most carefully planned party efforts. It should always be remembered that political action is absolutely voluntary; nor should the peculiar American tendency to insist upon a self-chosen and self-satisfying mode of enjoying individual privilege be overlooked.

There should by no means be an abandonment of fundamental and well-established party principles for the sake of catching voters. Such schemes undermine the virility of party organization, and are represented as tricky devices when subjected to the test of American acuteness. As new conditions arise, however, party principles should be applied to them; and this should be done with the greatest possible care and thoughtfulness, and with a studious exclusion of every disturbing complication arising from sinister addition or confusing statement. Above all things, our people require in political and party action frank, straightforward dealing.

Conscience the Only Safe Political Guide

This, then, is the conclusion of the matter: Every young man should regard political conviction and activity as a prime factor of his citizenship. He should give no place to the notion that there is anything inherently disreputable or contaminating in party association. He should not permit a too self-satisfied estimate of the infallibility of his own judgment to prevent the legitimate concession necessary to usefulness in party organization. He should, however, insist upon an honest adherence and devotion to the standard under which he has enlisted, and should never surrender his liberty of conscience. On the other hand, parties should never be used as instru-

mentalities of political trickery and chicane, but should rather be regarded as agencies related to the operation of the best of human governments. They should be built upon foundations of beneficent principles and patriotic motives. They should be consistently tenacious of their creeds, earnestly outspoken in their advocacy, and watchful against the approach of false doctrine; and last, but by no means least, they should be fair and clean in their methods and in their relations with their members; they should be generous in the interchange of counsel, and tolerant of individual judgment.

These requirements must not be regarded as fanciful if, in these days of emergency and menace, we are to find safety and confidence in the love of our people for their country, and in their intelligent and patriotic obedience to the demands of political duty.

POLITICAL DISHONESTY

POLITICAL DISHONESTY

By HENRY WARD BEECHER

POLITICAL dishonesty breeds dishonesty of every kind. It is possible for good men to permit single sins to co-exist with general integrity, where the evil is indulged through ignorance. Once, undoubted Christians were slave-traders. They might be, while unenlightened; but not in our times. A state of mind which will intend one fraud will, upon occasions, intend a thousand. He that upon one emergency will lie, will be supplied with emergencies. He that will perjure himself to save a friend will do it, in a desperate juncture, to save himself. The highest Wisdom has informed us that he that is unjust in the least, is unjust also in much. Circumstances may withdraw a politician from temptation to any but political dishonesty; but, under temptation, a dishonest politician would be a dishonest cashier—would be dishonest anywhere—in anything. The fury which destroys an opponent's character would stop at nothing, if barriers were thrown down. That which is true of the leaders in politics is true of subordinates. Political dishonesty in voters runs into general dishonesty, as the rotten speck taints the whole apple. A community whose politics is conducted by a perpetual breach of honesty on both sides, will be tainted by immorality throughout. Men will play the same game in their private affairs that they have learned to play in public matters. The guile, the crafty vigilance, the dishonest advantage, the cunning sharpness, the tricks and traps and sly evas-

ions, the equivocal promises, and unequivocal neglect of them, which characterize political action, will equally characterize private action. The mind has no kitchen to do its dirty work in, while the parlor remains clean. Dishonesty is an atmosphere; if it comes into one apartment, it penetrates into every one. Whoever will lie in politics, will lie in traffic. Whoever will slander in politics, will slander in personal squabbles. A professor of religion who is a dishonest politician is a dishonest Christian. His creed is a perpetual index of his hypocrisy.

The genius of our government directs the attention of every citizen to politics. Its spirit reaches the uttermost bound of society, and pervades the whole mass. If its channels are slimy with corruption, what limit can be set to its malign influence? The turbulence of elections, the virulence of the press, the desperation of bad men, the hopelessness of efforts which are not cunning, but only honest, have driven many conscientious men from any concern with politics. This is suicidal. Thus the tempest will grow blacker and fiercer. Our youth will be caught up on its whirling bosom and dashed to pieces, and its hail will break down every green thing. At God's house the cure should begin. Let the hand of discipline smite the leprous lips which shall utter the profane heresy: All is fair in politics. If any hoary professor, drunk with the mingled wine of excitement, shall tell our youth that a Christian man may act in politics by any other rule of morality than that of the Bible; and that wickedness performed for a party is not as abominable as if done for a man; or that any necessity justifies or palliates dishonesty in word or deed—let such a one go out of the camp, and his pestilent breath no longer spread contagion among our youth. No man who loves his country should shrink from her side when she groans

with raging distempers. Let every Christian man stand in his place; rebuke every dishonest practice; scorn a political as well as a personal lie; and refuse with indignation to be insulted by the solicitation of an immoral man. Let good men of all parties require honesty, integrity, veracity, and morality in politics, and there, as powerfully as anywhere else, the requisitions of public sentiment will ultimately be felt.

AMERICAN DIPLOMACY

AMERICAN DIPLOMACY

By JOHN HAY

(A speech made in reply to the toast of "Our Recent Diplomacy," at the dinner of the New York Chamber of Commerce, November, 19, 1901).

Mr. Chairman and Gentlemen:

I NEED not dwell upon the mournful and tragic event by virtue of which I am here. When the President lay stricken in Buffalo, though hope beat high in all our hearts that his life might be spared for future usefulness to his country, it was still recognized as improbable that he should be able to keep the engagement he had made to be with you tonight, and your committee did me the honor to ask me to come in his place. This I have sometimes done, in his lifetime, though always with diffidence and dread; but how much more am I daunted by the duty of appearing before you when that great man, loved and revered above all even while living, has put on the august halo of immortality! Who could worthily come into your presence as the shadow of that illustrious Shade?

Let me advert, but for a moment, to one aspect of our recent bereavement, which is especially interesting to those engaged, as you are, in relations whose scope is as wide as the world. Never, since history began, has there been an event which so immediately, and so deeply, touched the sensibilities of so vast a portion of the human race. The sun, which set over Lake Erie while the surgeons were

still battling for the President's life, had not risen on the Atlantic before every capital of the civilized world was in mourning. And it was not from the centers of civilization alone that the voices of sorrow and sympathy reached us; they came as well from the utmost limits of the world, from the most remote islands of the sea; not only from the courts of Christendom, but from the temples of strange gods and the homes of exotic religions. Never before has the heart of the world throbbed with a sorrow so universal. Never before have the kingdoms of the earth paid such homage at the grave of a citizen. Something of this was naturally due to his great office—presiding, as he did, over the government of a nation holding in fee the certainty of illimitable greatness. But no ruler can acquire the instinctive regard and esteem of the world without possessing most unusual qualities of mind and character. This dead President of ours possessed them. He was strong; he was wise; he was gentle. With no external advantages beyond the mass of his fellow-citizens, he rose by sheer merit and will to the summit of distinction and power. With a growth as certain and gradual as that of an oak, he grew stronger and wiser with every year that he lived. Confronted continually with new and exacting situations, he was never unequal to them; his serenity was never clouded; he took the storm and the sunshine with the same cheery welcome; his vast influence expanded with his opportunities. Like that Divine Master whom he humbly and reverently served, he grew continually "in favor with God and man."

One simple reason why the millions of this country mourned him as if they had buried a brother, and why all the nations of the earth felt that his death was a loss to humanity at large, was that he loved

his fellow man. There were literally no bounds to his lavish good-will. In political genius, in wisdom for government, in power of controlling men, he was one of the elect of the earth—there were few like him; but in sentiment and feeling he was the most perfect democrat I ever met. He never knew what it meant to regard another man as his inferior or as his superior. Nothing human was alien to him. Even his death was in that sense significant. He was slain in the moment when, with that delightful smile we knew so well which seemed like the very sunshine of the spirit—he was stretching forth a generous hand to greet the lowest and meanest unit in that crowd of many thousands. He made no demagogical parade of his sympathy with the masses, but this sympathy was a part of his life. He knew no interest which was not theirs; their welfare was as dear to him as the blood in his own veins; and in spite of calumny and falsehood the people knew it, and they loved him in return.

Others will rise and labor and do good service to the Republic. We shall never lack good men when the emergency calls for them. Thank God! we do not lack them now. But it may well be doubted if in any century of the glorious future before us, there will ever appear two such sincere, high-minded, self-respecting lovers of the people as the last fifty years have shown us in Abraham Lincoln and William McKinley.

But the world must go on, though the greatest and best beloved fall by the way. I dare to come to you, because you have asked me, and he would have wished it, for he held that our personal feelings should never be considered when they conflicted with a public duty. And if I fall immeasurably below the standard to which he has accustomed you, the

very comparisons you draw will be a tribute to his memory.

I am asked to say something about our diplomacy. You want from me nothing but the truth; and yet, if I confine myself to the truth, I cannot help fearing I shall do my profession a wrong in the minds of those who have been in the habit of considering diplomacy an occult science, as mysterious as alchemy, and as dangerous to the morals as municipal politics. It must be admitted that this conception of the diplomatic function is not without a certain historical foundation.

There was a time when diplomacy was a science of intrigue and falsehood, of traps and mines and countermines. The word "machiavelic" has become an adjective in our common speech, signifying fraudulent craft and guile; but Machiavel was as honest a man as his time justified or required. The King of Spain wrote to the King of France, after the massacre of St. Bartholomew, congratulating him upon the splendid dissimulation with which that stroke of policy had been accomplished. In the last generation it was thought a remarkable advance in straightforward diplomacy when Prince Bismarck recognized the advantage of telling the truth, even at the risk of misleading his adversary. It may be another instance of that naive credulity with which I have often been charged by European critics when I say that I really believe the world has moved onward in diplomacy as in many other matters. In my experience of diplomatic life, which now covers more years than I like to look back upon, and in the far greater record of American diplomacy which I have read and studied, I can say without hesitation that we have generally told squarely what we wanted, announced early in negotiation what we were willing to give, and allowed the other side to accept

or reject our terms. During the time in which I have been prominently concerned in our foreign relations, I can also say that we have been met by the representatives of other powers in the same spirit of frankness and sincerity. You, as men of large affairs, will bear me out in saying there is nothing like straightforwardness to beget its like.

The comparative simplicity of our diplomatic methods would be a matter of necessity if it were not of choice. Secret treaties, reserved clauses, private understandings, are impossible to us. No treaty has any validity until ratified by the senate; many require the action of both houses of Congress to be carried into effect. They must, therefore, be in harmony with public opinion. The Executive could not change this system even if he should ever desire to. It must be accepted, with all its difficulties and all its advantages; and it has been approved by the experience of a hundred years.

As to the measure of success which our recent diplomacy has met with, it is difficult, if not impossible, for me to speak. There are two important lines of human endeavor in which men are forbidden even to allude to their success—affairs of the heart and diplomatic affairs. In doing so, one not only commits a vulgarity which transcends all question of taste, but makes all future success impossible. For this reason, the diplomatic representatives of the government must frequently suffer in silence the most outrageous imputations upon their patriotism, their intelligence, and their common honesty. To justify themselves before the public, they would sometimes have to place in jeopardy the interests of the nation. They must constantly adopt for themselves the motto of the French revolutionist, "Let my name wither, rather than my country be injured."

But if we are not permitted to boast of what we have done, we can at least say a word about what we have tried to do, and the principles which have guided our action. The briefest expression of our rule of conduct is, perhaps, the Monroe Doctrine and the Golden Rule. With this simple chart we can hardly go far wrong.

I think I may say that our sister republics to the south of us are perfectly convinced of the sincerity of our attitude. They know we desire the prosperity of each of them, and peace and harmony among them. We no more want their territory than we covet the mountains of the moon. We are grieved and distressed when there are differences among them, but even then we should never think of trying to compose any of those differences unless by the request of both parties to it. Not even our earnest desire for peace among them will lead us to any action which might offend their national dignity or their just sense of independence. We owe them all the consideration which we claim for ourselves. To critics in various climates who have other views of our purposes we can only wish fuller information and more quiet consciences.

As to what we have tried to do—what we are still trying to do—in the general field of diplomacy, there is no reason for doubt on the one hand or reticence on the other. President McKinley in his messages during the last four years has made the subject perfectly clear. We have striven, on the lines laid down by Washington, to cultivate friendly relations with all powers, but not to take part in the formation of groups or combinations among them. A position of complete independence is not incompatible with relations involving not friendship alone, but concurrent action, as well, in important emergencies. We have kept always in view the fact that we are pre-

eminently a peace-loving people; that our normal activities are in the direction of trade and commerce; that the vast development of our industries imperatively demands that we shall not only retain and confirm our hold on our present markets, but seek constantly, by all honorable means, to extend our commercial interests in every practicable direction. It is for this reason we have negotiated the treaties of reciprocity which now await the action of the senate; all of them conceived in the traditional American spirit of protection to our own industries, and yet mutually advantageous to ourselves and our neighbors. In the same spirit we have sought, successfully, to induce all the great powers to unite in a recognition of the general principle of equality of commercial access and opportunity in the markets of the Orient. We believe that "a fair field and no favor" is all we require; and with less than that we cannot be satisfied. If we accept the assurances we have received as honest and genuine, as I certainly do, that equality will not be denied us; and the result may safely be left to American genius and energy.

We consider our interests in the Pacific Ocean as great now as those of any other power, and destined to indefinite development. We have opened our doors to the people of Hawaii, we have accepted the responsibility of the Philippines which Providence imposed upon us; we have put an end to the embarrassing condominium in which we were involved in Samoa, and while abandoning none of our commercial rights in the entire group, we have established our flag and our authority in Tutuila, which gives us the finest harbor in the South Seas. Next in order will come a Pacific cable, and an isthmian canal for the use of all well-disposed peoples, but under exclusive American ownership and American

control—of both of which great enterprises President McKinley and President Roosevelt have been the energetic and consistent champions.

Sure as we are of our rights in these matters, convinced as we are of the authenticity of the vision which has led us thus far and still beckons us forward, I can yet assure you that so long as the administration of your affairs remains in hands as strong and skillful as those to which they have been and are now confided, there will be no more surrender of our rights than there will be violation of the rights of others. The President to whom you have given your invaluable trust and confidence, like his now immortal predecessor, is as incapable of bullying a strong power as he is of wronging a weak one. He feels and knows—for has he not tested it, in the currents of the heady fight, as well as in the toilsome work of administration?—that the nation over whose destinies he presides has a giant's strength in the works of war, as in the works of peace. But that consciousness of strength brings with it no temptation to do injury to any power on earth, the proudest or the humblest. We frankly confess we seek the friendship of all the powers; we want to trade with all peoples; we are conscious of resources that will make our commerce a source of advantage to them and of profit to ourselves. But no wantonness of strength will ever induce us to drive a hard bargain with another nation because it is weak, nor will any fear of ignoble criticism tempt us to insult or defy a great power because it is strong, or even because it is friendly.

The attitude of our diplomacy may be indicated in a text of Scripture, which Franklin—the first and greatest of our diplomats—tells us passed through his mind when he was presented at the Court of Versailles. It was a text his father used to quote to

him in the old candle shop in Boston, when he was a boy: "Seest thou a man diligent in his business? he shall stand before kings." Let us be diligent in our business and we shall stand—stand, you see, not crawl, nor swagger—stand, as a friend and equal, asking nothing, putting up with nothing but what is right and just, among our peers, in the great democracy of nations.

THE DECLARATION OF WAR



THE DECLARATION OF WAR.

President Wilson's Famous Address at the Opening
of the War Congress, April 2, 1917

Gentlemen of the Congress:

I have called the Congress into extraordinary session because there are serious, very serious, choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making.

On the third of February last, I officially laid before you the extraordinary announcement of the Imperial German Government that on and after the first day of February it was its purpose to put aside all restraints of law or of humanity and use its submarines to sink every vessel that sought to approach either the ports of Great Britain and Ireland or the western coasts of Europe or any of the ports controlled by the enemies of Germany within the Mediterranean. That had seemed to be the object of the German submarine warfare earlier in the war, but since April of last year the Imperial Government had somewhat restrained the commanders of its under-sea craft in conformity with its promise then given to us that passenger boats should not be sunk and that due warning would be given to all other vessels which its submarines might seek to destroy, when no resistance was offered or escape attempted, and care taken that their crews were given at least a fair chance to save their lives in their open boats. The precautions taken were meagre and haphazard enough, as was proved in distressing instance after

instance in the progress of the cruel and unmanly business, but a certain degree of restraint was observed. The new policy has swept every restriction aside. Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warning and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents. Even hospital ships and ships carrying relief to the sorely bereaved and stricken people of Belgium, though the latter were provided with safe conduct through the proscribed areas by the German Government itself and were distinguished by unmistakable marks of identity, have been sunk with the same reckless lack of compassion or of principle.

I was, for a little while, unable to believe that such things would in fact be done by any government that had hitherto subscribed to the humane practices of civilized nations. International law had its origin in the attempt to set up some law which would be respected and observed upon the seas, where no nation had right of dominion and where lay the free highways of the world. By painful stage after stage has that law been built up, with meagre enough results, indeed, after all was accomplished that could be accomplished, but always with a clear view, at least, of what the heart and conscience of mankind demanded. This minimum of right the German Government has swept aside under the plea of retaliation and necessity and because it had no weapons which it could use at sea except these which it is impossible to employ as it is employing them without throwing to the winds all scruples of humanity or of respect for the understandings that were supposed to underlie the intercourse of the world. I am not now thinking of the loss of property involved, immense

and serious as that is, but only of the wanton and wholesale destruction of the lives of non-combatants, men, women, and children, engaged in pursuits which have always, even in the darkest periods of modern history, been deemed innocent and legitimate. Property can be paid for; the lives of peaceful and innocent people cannot be. The present German submarine warfare against commerce is a warfare against mankind.

It is a war against all nations. American ships have been sunk, American lives taken, in ways which it has stirred us very deeply to learn of, but the ships and people of other neutral and friendly nations have been sunk and overwhelmed in the waters in the same way. There has been no discrimination. The challenge is to all mankind. Each nation must decide for itself how it will meet it. The choice we make for ourselves must be made with a moderation of counsel and a temperateness of judgment befitting our character and our motives as a nation. We must put excited feeling away. Our motive will not be revenge or the victorious assertion of the physical might of the nation, but only the vindication of right, of human right, of which we are only a single champion.

When I addressed the Congress on the twenty-sixth of February last, I thought that it would suffice to assert our neutral rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence. But armed neutrality, it now appears, is impracticable. Because submarines are in effect outlaws when used as the German submarines have been used against merchant shipping, it is impossible to defend ships against their attacks as the law of nations has assumed that merchantmen would defend themselves against privateers or cruisers, visible craft

giving chase upon the open sea. It is common prudence in such circumstances, grim necessity indeed, to endeavor to destroy them before they have shown their own intention. They must be dealt with upon sight, if dealt with at all. The German Government denies the right of neutrals to use arms at all within the areas of the sea which it has proscribed, even in the defense of rights which no modern publicist has ever before questioned their right to defend. The intimation is conveyed that the armed guards which we have placed on our merchant ships will be treated as beyond the pale of law and subject to be dealt with as pirates would be. Armed neutrality is ineffectual enough at best; in such circumstances and in the face of such pretensions it is worse than ineffectual; it is likely only to produce what it was meant to prevent; it is practically certain to draw us into the war without either the rights or the effectiveness of belligerents. There is one choice we cannot make, we are incapable of making: we will not choose the path of submission and suffer the most sacred rights of our nation and our people to be ignored or violated. The wrongs against which we now array ourselves are no common wrongs; they cut to the very roots of human life.

With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense but also to exert all its power and

employ all its resources to bring the Government of the German Empire to terms and end the war.

What this will involve is clear. It will involve the utmost practicable cooperation in counsel and action with the governments now at war with Germany, and, as incident to that, the extension to those governments of the most liberal financial credits, in order that our resources may so far as possible be added to theirs. It will involve the organization and mobilization of all the material resources of the country to supply the materials of war and serve the incidental needs of the nation in the most abundant and yet the most economical and efficient way possible. It will involve the immediate full equipment of the navy in all respects, but particularly in supplying it with the means of dealing with the enemy's submarines. It will involve the immediate addition to the armed forces of the United States already provided for by law in case of war of at least five hundred thousand men, who should, in my opinion, be chosen upon the principle of universal liability to serve, and also the authorization of subsequent additional increments of equal force so soon as they may be needed and can be handled in training. It will involve also, of course, the granting of adequate credits to the Government, sustained, I hope, so far as they can equitably be sustained by the present generation, by well conceived taxation.

I say sustained so far as may be equitable by taxation because it seems to me that it would be most unwise to base the credits which will now be necessary entirely on money borrowed. It is our duty, I most respectfully urge, to protect our people so far as we may against the very serious hardships and evils which would be likely to arise out of the inflation which would be produced by vast loans.

In carrying out the measures by which these

things are to be accomplished we should keep constantly in mind the wisdom of interfering as little as possible in our own preparation and in the equipment of our own military forces with the duty,—for it will be a very practical duty,—of supplying the nations already at war with Germany with the materials which they can obtain only from us or by our assistance. They are in the field and we should help them in every way to be effective there.

I shall take the liberty of suggesting, through the several executive departments of the Government, for the consideration of your committees, measures for the accomplishment of the several objects I have mentioned. I hope that it will be your pleasure to deal with them as having been framed after very careful thought by the branch of the Government upon which the responsibility of conducting the war and safeguarding the nation will most directly fall.

While we do these things, these deeply momentous things, let us be very clear, and make very clear to all the world what our motives and our objects are. My own thought has not been driven from its habitual and normal course by the unhappy events of the last two months, and I do not believe that the thought of the nation has been altered or clouded by them. I have exactly the same things in mind now that I had in mind when I addressed the Senate on the twenty-second of January last; the same that I had in mind when I addressed the Congress on the third of February and on the twenty-sixth of February. Our object now, as then, is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth ensure the observance of those principles. Neutrality is no longer feasible or de-

sirable where the peace of the world is involved and the freedom of its peoples, and the menace to that peace and freedom lies in the existence of autocratic governments backed by organized force which is controlled wholly by their will, not by the will of their people. We have seen the last of neutrality in such circumstances. We are at the beginning of an age in which it will be insisted that the same standards of conduct and of responsibility for wrong done shall be observed among nations and their governments that are observed among the individual citizens of civilized states.

We have no quarrel with the German people. We have no feeling toward them but one of sympathy and friendship. It was not upon their impulse that their Government acted in entering this war. It was not with their previous knowledge or approval. It was a war determined upon as wars used to be determined upon in the old, unhappy days when peoples were nowhere consulted by their rulers and wars were provoked and waged in the interest of dynasties or of little groups of ambitious men who were accustomed to use their fellow men as pawns and tools. Self-governed nations do not fill their neighbor states with spies or set the course of intrigue to bring about some critical posture of affairs which will give them an opportunity to strike and make conquest. Such designs can be successfully worked out only under cover and where no one has the right to ask questions. Cunningly contrived plans of deception, aggression, carried, it may be, from generation to generation, can be worked out and kept from the light only within the privacy of courts or behind the carefully guarded confidences of a narrow and privileged class. They are happily impossible where public opinion commands and insists upon full information concerning all the nation's affairs.

A steadfast concert for peace can never be maintained except by a partnership of democratic nations. No autocratic government could be trusted to keep faith within it or observe its covenants. It must be a league of honor, a partnership of opinion. Intrigue would eat its vitals away; the plottings of inner circles who could plan what they would and render account to no one would be a corruption seated at its very heart. Only free peoples can hold their purpose and their honor steady to a common end and prefer the interests of mankind to any narrow interest of their own.

Does not every American feel that assurance has been added to our hope for the future peace of the world by the wonderful and heartening things that have been happening within the last few weeks in Russia? Russia was known by those who knew it best to have been always, in fact, democratic at heart, in all the vital habits of her thought, in all the intimate relationships of her people that spoke their natural instinct, their habitual attitude toward life. The autocracy that crowned the summit of her political structure, long as it had stood and terrible as was the reality of its power, was not in fact Russian in origin, character, or purpose; and now it has been shaken off and the great, generous Russian people have been added in all their native majesty and might to the forces that are fighting for freedom in the world, for justice, and for peace. Here is a fit partner for a League of Honor.

One of the things that has served to convince us that the Prussian autocracy was not and could never be our friend is that from the very outset of the present war it has filled our unsuspecting communities and even our offices of government with spies and set criminal intrigues everywhere afoot against our national unity of counsel, our peace within and

without, our industries and our commerce. Indeed, it is now evident that its spies were here even before the war began; and it is unhappily not a matter of conjecture, but a fact proved in our courts of justice that the intrigues which have more than once come perilously near to disturbing the peace and dislocating the industries of the country have been carried on at the instigation, with the support, and even under the personal direction of official agents of the Imperial Government accredited to the Government of the United States. Even in checking these things and trying to extirpate them we have sought to put the most generous interpretation possible upon them because we knew that their source lay, not in any hostile feeling or purpose of the German people toward us (who were no doubt as ignorant of them as we ourselves were), but only in the selfish designs of a Government that did what it pleased and told its people nothing. But they have played their part in serving to convince us at last that that Government entertains no real friendship for us and means to act against our peace and security at its convenience. That it means to stir up enemies against us at our very doors, the intercepted note to the German Minister at Mexico City is eloquent evidence.

We are accepting this challenge of hostile purpose because we know that in such a government, following such methods, we can never have a friend; and that in the presence of its organized power, always lying in wait to accomplish we know not what purpose, there can be no assured security for the democratic governments of the world. We are now about to accept gage of battle with this natural foe to liberty and shall, if necessary, spend the whole force of the nation to check and nullify its pretensions and its power. We are glad, now that we see the

facts with no veil of false pretense about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German peoples included: for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience. The world must be made safe for democracy. Its peace must be planted upon the tested foundations of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of nations can make them.

Just because we fight without rancour and without selfish object, seeking nothing for ourselves, we shall, I feel confident, conduct our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fair play we profess to be fighting for.

I have said nothing of the governments allied with the Imperial Government of Germany because they have not made war upon us or challenged us to defend our right and our honor. The Austro-Hungarian Government has, indeed, avowed its unqualified endorsement and acceptance of the reckless and lawless submarine warfare adopted now without disguise by the Imperial German Government, and it has therefore not been possible for this Government to receive Count Tarnowski, the Ambassador recently accredited to this Government by the Imperial and Royal Government of Austria-Hungary; but that Government has not actually engaged in warfare against citizens of the United States on the seas, and I take the liberty, for the present at least.

of postponing a discussion of our relations with the authorities at Vienna. We enter this war only where we are clearly forced into it because there are no other means of defending our rights.

It will be all the easier for us to conduct ourselves as belligerents in a high spirit of right and fairness because we act without animus, not in enmity towards a people or with the desire to bring any injury or disadvantage upon them, but only in armed opposition to an irresponsible government which has thrown aside all considerations of humanity and of right and is running amuck. We are, let me say again, the sincere friends of the German people, and shall desire nothing so much as the early re-establishment of intimate relations of mutual advantage between us—however hard it may be for them, for the time being, to believe that this is spoken from our hearts. We have borne with their present government through all these bitter months because of that friendship—exercising a patience and forbearance which would otherwise have been impossible. We shall, happily, still have an opportunity to prove that friendship in our daily attitude and actions towards the millions of men and women of German birth and native sympathy who live amongst us and share our life, and we shall be proud to prove it towards all who are in fact loyal to their neighbors and to the Government in the hour of test. They are, most of them, as true and loyal Americans as if they had never known any other fealty or allegiance. They will be prompt to stand with us in rebuking and restraining the few who may be of a different mind and purpose. If there should be disloyalty, it will be dealt with a firm hand of stern repression; but, if it lifts its head at all, it will lift it only here and there and without countenance except from a lawless and malignant few.

It is a distressing and oppressive duty, Gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

**THE REPLY TO HIS HOLINESS
BENEDICTUS XV, POPE**

THE REPLY TO HIS HOLINESS BENEDICTUS XV, POPE

By WOODROW WILSON

Washington, D. C., August 27, 1917.

To His Holiness Benedictus XV, Pope:

In acknowledgement of the communication of your Holiness to the belligerent peoples, dated August 1, 1917, the President of the United States requests me to transmit the following reply:

Every heart that has not been blinded and hardened by this terrible war must be touched by this moving appeal of his Holiness the Pope, must feel the dignity and force of the humane and generous motives which prompted it, and must fervently wish that we might take the path of peace he so persuasively points out. But it would be folly to take it if it does not in fact lead to the goal he proposes. Our response must be based upon the stern facts, and upon nothing else. It is not a mere cessation of arms he desires; it is a stable and enduring peace. This agony must not be gone through with again, and it must be a matter of very sober judgment what will insure us against it.

His Holiness in substance proposes that we return to the status quo ante-bellum and that then there be a general condonation, disarmament, and a concert of nations based upon an acceptance of the principle of arbitration; that by a similar concert freedom of the seas be established; and that the territorial

claims of France and Italy, the perplexing problems of the Balkan States, and the restriction of Poland be left to such conciliatory adjustments as may be possible in the new temper of such a peace, due regard being paid to the aspirations of the peoples whose political fortunes and affiliations will be involved.

It is manifest that no part of this program can be successfully carried out unless the restitution of the *status quo ante* furnishes a firm and satisfactory basis for it. The object of this war is to deliver the free peoples of the world from the menace and the actual power of a vast military establishment controlled by an irresponsible government, which, having secretly planned to dominate the world, proceeded to carry the plan out without regard either to the sacred obligations of treaty or the long established practices and long cherished principles of international action and honor; which chose its own time for the war; delivered its blow fiercely and suddenly; stopped at no barrier, either of law or of mercy; swept a whole continent within the tide of blood—not the blood of soldiers only, but the blood of innocent women and children also and of the helpless poor; and now stands balked, but not defeated, the enemy of four-fifths of the world.

This power is not the German people. It is the ruthless master of the German people. It is no business of ours how that great people came under its control or submitted with temporary zest to the domination of its purpose; but it is our business to see to it that the history of the rest of the world is no longer left to its handling.

To deal with such a power by way of peace upon the plan proposed by his Holiness the Pope would, so far as we can see, involve a recuperation of its strength and a renewal of its policy; would make it

necessary to create a permanent hostile combination of nations against the German people, who are its instruments ; and would result in abandoning the new-born Russia to the intrigue, the manifold subtle interference, and the certain counter-revolution which would be attempted by all the malign influences to which the German Government has of late accustomed the world.

Can peace be based upon a restitution of its power or upon any word of honor it could pledge in a treaty of settlement and accommodation ?

Responsible statesmen must now everywhere see, if they never saw before, that no peace can rest securely upon political or economic restrictions meant to benefit some nations and cripple or embarrass others, upon vindictive action of any sort, or any kind of revenge or deliberate injury. The American people have suffered intolerable wrongs at the hands of the Imperial German Government, but they desire no reprisal upon the German people, who have themselves suffered all things in this war, which they did not choose. They believe that peace should rest upon the rights of peoples, not the rights of governments—the rights of peoples, great or small, weak or powerful—their equal right to freedom and security and self-government, and to a participation upon fair terms in the economic opportunities of the world, the German people, of course, included, if they will accept equality and not seek domination.

The test, therefore, of every plan of peace is this: Is it based upon the faith of all the peoples involved, or merely upon the word of an ambitious and intriguing Government, on the one hand, and of a group of free peoples, on the other? This is a test which goes to the root of the matter; and it is the test which must be applied.

The purposes of the United States in this war are known to the whole world—to every people to whom the truth has been permitted to come. They do not need to be stated again. We seek no material advantage of any kind. We believe that the intolerable wrongs done in this war by the furious and brutal power of the Imperial German Government ought to be repaired, but not at the expense of the sovereignty of any people—rather a vindication of the sovereignty both of those that are weak and of those that are strong. Punitive damages, the dismemberment of empires, the establishment of selfish and exclusive economic leagues, we deem inexpedient, and in the end worse than futile, no proper basis for a peace of any kind, least of all for an enduring peace. That must be based upon justice and fairness and the common rights of mankind.

We cannot take the word of the present rulers of Germany as a guarantee of anything that is to endure unless explicitly supported by such conclusive evidence of the will and purpose of the German people themselves as the other peoples of the world would be justified in accepting. Without such guarantees treaties of settlement, agreements for disarmament, covenants to set up arbitration in the place of force, territorial adjustments, reconstitutions of small nations, if made with the German Government, no man, no nation, could now depend on.

We must await some new evidence of the purposes of the great peoples of the Central Powers. God grant it may be given soon and in a way to restore the confidence of all peoples everywhere in the faith of nations and the possibility of a covenanted peace.

ROBERT LANSING,
Secretary of State of the United States of America.

**THE ADDRESS TO THE SECOND
WAR CONGRESS**

THE ADDRESS TO THE SECOND WAR CONGRESS—DECEMBER, 1917

By WOODROW WILSON

GENTLEMEN OF THE CONGRESS: Eight months have elapsed since I last had the honor of addressing you. They have been months crowded with events of immense and grave significance for us. I shall not undertake to retail or even summarize those events. The practical particulars of the part we have played in them will be laid before you in the reports of the Executive Departments. I shall discuss only our present outlook upon these vast affairs, our present duties, and the immediate means of accomplishing the objects we shall hold always in view.

I shall not go back to debate the causes of the war. The intolerable wrongs done and planned against us by the sinister masters of Germany have long since become too grossly obvious and odious to every true American to need to be rehearsed. But I shall ask you to consider again and with a very grave scrutiny our objectives and the measures by which we mean to attain them; for the purpose of discussion here in this place of action, and our nation must move straight towards definite ends. Our object is, of course, to win the war; and we shall not slacken or suffer ourselves to be deprived until it is won. But it is worth while asking and answering the question, When shall we consider the war won?

From one point of view it is not necessary to broach this fundamental matter. I do not doubt that

the American people know what the war is about and what sort of an outcome they will regard as a realization of their purpose in it. As a nation we are united in spirit and intention. I pay little heed to those who tell me otherwise. I hear the voices of dissent,—who does not? I hear the criticism and the clamor of the noisily thoughtless and troublesome. I also see men here and there fling themselves in impotent disloyalty against the calm, indomitable power of the nation. I hear men debate peace who understand neither its nature nor the way in which we may attain it with uplifted eyes and unbroken spirits. But I know that none of these speaks for the nation. They do not touch the heart of anything. They may safely be left to strut their uneasy hour and be forgotten.

But from another point of view I believe that it is necessary to say plainly what we here at the seat of action consider the war to be for and what part we mean to play in the settlement of its searching issues. We are the spokesmen of the American people and they have a right to know whether their purpose is ours. They desire peace by the overcoming of evil, by the defeat once for all of the sinister forces that interrupt peace and render it impossible, and they wish to know how closely our thought runs with theirs and what action we propose. They are impatient with those who desire peace by any sort of compromise,—deeply and indignantly impatient,—but they will be equally impatient with us if we do not make it plain to them what our objectives are and what we are planning for in seeking to make conquest of peace by arms.

I believe that I speak for them when I say two things: First, that this intolerable Thing of which the masters of Germany have shown us the ugly face, this menace of combined intrigue and force

which we now see so clearly as the German power, a Thing without conscience or honor or capacity for covenanted peace, must be crushed and, if it be not utterly brought to an end, at least shut out from the friendly intercourse of the nations; and, second, that when this Thing and its power are indeed defeated and the time comes that we can discuss peace,—when the German people have spokesmen whose word we can believe and when those spokesmen are ready in the name of their people to accept the common judgment of the nations as to what henceforth will be the bases of law and of covenant for the life of the world,—we shall be willing and glad to pay the full price for peace, and pay it ungrudgingly. We know what that price will be. It will be full, impartial justice,—justice done at every point and to every nation that the final settlement must affect, our enemies as well as our friends.

You catch, with me, the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong. It is this thought that has been expressed in the formula "No annexations, no contributions, no punitive indemnities." Just because this crude formula expresses the instinctive judgment as to right of plain men everywhere it has been made diligent use of by the masters of German intrigue to lead the people of Russia astray—and the people of every other country their agents could reach, in order that a premature peace might be brought about before autocracy has been taught its final

and convincing lesson, and the people of the world put in control of their own destinies.

But the fact that a wrong use has been made of a just idea is no reason why a right use should not be made of it. It ought to be brought under the patronage of its real friends. Let it be said again that autocracy must first be shown the utter futility of its claims to power or leadership in the modern world. It is impossible to apply any standard of justice so long as such forces are unchecked and undefeated as the present masters of Germany command. Not until that has been done can Right be set up as arbiter and peace-maker among the nations. But when that has been done,—as, God willing, it assuredly will be,—we shall at last be free to do an unprecedented thing, and this is the time to avow our purpose to do it. We shall be free to base peace on generosity and justice, to the exclusion of all selfish claims to advantage even on the part of the victors.

Let there be no misunderstanding. Our present and immediate task is to win the war, and nothing shall turn us aside from it until it is accomplished. Every power and resource we possess, whether of men, of money, or of materials, is being devoted and will continue to be devoted to that purpose until it is achieved. Those who desire to bring peace about before that purpose is achieved I counsel to carry their advice elsewhere. We will not entertain it. We shall regard the war as won only when the German people say to us, through properly accredited representatives, that they are ready to agree to a settlement based upon justice and the reparation of the wrongs their rulers have done. They have done a wrong to Belgium which must be repaired. They have established a power over other lands and peoples than their own,—over the great

Empire of Austria-Hungary, over hitherto free Balkan states, over Turkey, and within Asia,—which must be relinquished.

Germany's success by skill, by industry, by knowledge, by enterprise we did not grudge or oppose, but admired, rather. She had built up for herself a real empire of trade and influence, secured by the peace of the world. We were content to abide the rivalries of manufacture, science, and commerce that were involved for us in her success and stand or fall as we had or did not have the brains and the initiative to surpass her. But at the moment when she had conspicuously won her triumphs of peace she threw them away, to establish in their stead what the world will no longer permit to be established, military and political domination by arms, by which to oust where she could not excel the rivals she most feared and hated. The peace we make must remedy that wrong. It must deliver the once fair lands and happy people of Belgium and northern France from the Prussian conquest and the Prussian menace, but it must also deliver the peoples of Austria-Hungary, the peoples of the Balkans, and the peoples of Turkey, alike in Europe and in Asia, from the impudent and alien dominion of the Prussian military and commercial autocracy.

We owe it, however, to ourselves to say that we do not wish in any way to impair or to rearrange the Austro-Hungarian Empire. It is no affair of ours what they do with their own life, either industrially or politically. We do not purpose or desire to dictate to them in any way. We only desire to see that their affairs are left in their own hands, in all matters, great or small. We shall hope to secure for the peoples of the Balkan peninsula and for the people of the Turkish Empire the right and opportunity to make their own lives safe, their own

fortunes secure against oppression or injustice and from the dictation of foreign courts or parties.

And our attitude and purpose with regard to Germany herself are of a like kind. We intend no wrong against the German Empire, no interference with her internal affairs. We should deem either the one or the other absolutely unjustifiable, absolutely contrary to the principles we have professed to live by and to hold most sacred throughout our life as a nation.

The people of Germany are being told by the men whom they now permit to deceive them and to act as their masters that they are fighting for the very life and existence of their Empire, a war of desperate self-defense against deliberate aggression. Nothing could be more grossly or wantonly false, and we must seek by the utmost openness and candor as to our real aims to convince them of its falsehood. We are in fact fighting for their emancipation from fear, along with our own,—from the fear as well as from the fact of unjust attack by neighbors or rivals or schemers after world empire. No one is threatening the existence or the independence or the peaceful enterprise of the German Empire.

The worst that can happen to the detriment of the German people is this, that if they should still, after the war is over, continue to be obliged to live under ambitious and intriguing masters interested to disturb the peace of the world, men or classes of men whom the other peoples of the world could not trust, it might be impossible to admit them to the partnership of nations which must henceforth guarantee the world's peace. That partnership must be a partnership of people, not a mere partnership of governments. It might be impossible, also, in such untoward circumstances, to admit Germany to the free economic intercourse which must inevitably spring

out of the other partnerships of a real peace. But there would be no aggression in that; and such a situation, inevitable because of distrust, would in the very nature of things sooner or later cure itself, by processes which would assuredly set in.

The wrongs, the very deep wrongs, committed in this war will have to be righted. That, of course. But they cannot and must not be righted by the commission of similar wrongs against Germany and her allies. The world will not permit the commission of similar wrongs as a means of reparation and settlement. Statesmen must by this time have learned that the opinion of the world is everywhere wide awake and fully comprehends the issues involved. No representative of any self-governed nation will dare disregard it by attempting any such covenants of selfishness and compromise as were entered into at the Congress of Vienna. The thought of the plain people here and everywhere throughout the world, the people who enjoy no privilege and have very simple and unsophisticated standards of right and wrong, is the air all governments must henceforth breathe if they would live. It is in the full disclosing light of that thought that all policies must be conceived and executed in this mad day hour of the world's life. German rulers have been able to upset the peace of the world only because the German people were not suffered under their tutelage to share the comradeship of the other peoples of the world either in thought or in purpose. They were allowed to have no opinion of their own which might be set up as a rule of conduct for those who exercised authority over them. But the congress that concludes this war will feel the full strength of the tides that run now in the hearts and consciences of free men everywhere. Its conclusions will run with those tides.

All these things have been true from the very beginning of this stupendous war; and I can not help thinking that if they had been made plain at the very outset the sympathy and enthusiasm of the Russian people might have been once for all enlisted on the side of the Allies, suspicion and distrust swept away, and a real and lasting union of purpose effected. Had they believed these things at the very moment of their revolution and had they been confirmed in that belief since, the sad reverses which have recently marked the progress of their affairs towards an ordered and stable government of free men might have been avoided. The Russian people have been poisoned by the very same falsehoods that have kept the German people in the dark, and the poison has been administered by the very same hands. The only possible antidote is the truth. It can not be uttered too plainly or too often.

From every point of view, therefore, it has seemed to be my duty to speak these declarations of purpose, to add these specific interpretations to what I took the liberty of saying to the Senate in January. Our entrance into the war has not altered our attitude towards the settlement that must come when it is over. When I said in January that the nations of the world were entitled not only to free pathways upon the sea but also to assured and unmolested access to those pathways I was thinking, and I am thinking now, not of the smaller and weaker nations alone, which need our countenance and support, but also of the great and powerful nations, and of our present enemies as well as our present associates in the war. I was thinking, and am thinking now, of Austria herself, among the rest, as well as of Serbia and of Poland. Justice and equality of rights can be had only at a great price. We are seeking permanent, not temporary, foundations for the peace

of the world and must seek them candidly and fearlessly. As always, the right will prove to be the expedient.

What shall we do, then, to push this great war of freedom and justice to its righteous conclusion? We must clear away with a thorough hand all impediments to success and we must make every adjustment of law that will facilitate the full and free use of our whole capacity and force as a fighting unit.

One very embarrassing obstacle that stands in our way is that we are at war with Germany but not with her allies. I therefore very earnestly recommend that the Congress immediately declare the United States in a state of war with Austria-Hungary. Does it seem strange to you that this should be the conclusion of the argument I have just addressed to you? It is not. It is, in fact, the inevitable logic of what I have said. Austria-Hungary is for the time being not her own mistress but simply the vassal of the German Government. We must face the facts as they are and act upon them without sentiment in this stern business. The government of Austria-Hungary is not acting upon its own initiative or in response to the wishes and feelings of its own peoples but as the instrument of another nation. We must meet its force with our own and regard the Central Powers as but one. The war can be successfully conducted in no other way. The same logic would lead also to a declaration of war against Turkey and Bulgaria. They also are the tools of Germany. But they are mere tools and do not yet stand in the direct path of our necessary action. We shall go wherever the necessities of this war carry us, but it seems to me that we should go only where immediate and practical considerations lead us and not heed any others.

The financial and military measures which must

be adopted will suggest themselves as the war and its undertakings develop, but I will take the liberty of proposing to you certain other acts of legislation which seem to me to be needed for the support of the war and for the release of our whole force and energy.

It will be necessary to extend in certain particulars the legislation of the last session with regard to alien enemies; and also necessary, I believe, to create a very definite and particular control over the entrance and departure of all persons into and from the United States.

Legislation should be enacted defining as a criminal offense every wilful violation of the presidential proclamations relating to alien enemies promulgated under section 4067 of the Revised Statutes and providing appropriate punishments; and women as well as men should be included under the terms of the acts placing restraints upon alien enemies. It is likely that as time goes on many alien enemies will be willing to be fed and housed at the expense of the Government in the detention camps and it would be the purpose of the legislation I have suggested to confine offenders among them in penitentiaries and other similar institutions where they could be made to work as other criminals do.

Recent experience has convinced me that the Congress must go further in authorizing the Government to set limits to prices. The law of supply and demand, I am sorry to say, has been replaced by the law of unrestrained selfishness. While we have eliminated profiteering in several branches of industry it still runs impudently rampant in others. The farmers, for example, complain with a great deal of justice that, while the regulation of food prices restricts their incomes, no restraints are placed upon the prices of most of the things they

must themselves purchase; and similar inequities obtain on all sides.

It is imperatively necessary that the consideration of the full use of the water power of the country and also the consideration of the systematic and yet economical development of such of the natural resources of the country as are still under the control of the federal government should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious.

The legislation proposed at the last session with regard to regulated combinations among our exporters, in order to provide for our foreign trade a more effective organization and method of cooperation, ought by all means to be completed at this session.

And I beg that the members of the House of Representatives will permit me to express the opinion that it will be impossible to deal in any but a very wasteful and extravagant fashion with the enormous appropriations of the public moneys which must continue to be made, if the war is to be properly sustained, unless the House will consent to return to its former practice of initiating and preparing all appropriation bills through a single committee, in order that responsibility may be centered, expenditures standardized and made uniform, and waste and duplication as much as possible avoided.

Additional legislation may also become necessary before the present Congress again adjourns in order to effect the most efficient coordination and operation of the railway and other transportation systems of the country; but to that I shall, if circumstances should demand, call the attention of the Congress upon another occasion.

If I have overlooked anything that ought to be done for the more effective conduct of the war, your own counsels will supply the omission. What I am perfectly clear about is that in the present session of the Congress our whole attention and energy should be concentrated on the vigorous, rapid, and successful prosecution of the great task of winning the war.

We can do this with all the greater zeal and enthusiasm because we know that for us this is a war of high principle, debased by no selfish ambition of conquest or spoilation; because we know, and all the world knows, that we have been forced into it to save the very institutions we live under from corruption and destruction. The purposes of the Central Powers strike straight at the very heart of everything we believe in; their methods of warfare outrage every principle of humanity and of knightly honor; their intrigue has corrupted the very thought and spirit of many of our people; their sinister and secret diplomacy has sought to take our very territory away from us and disrupt the Union of the States. Our safety would be at an end, our honor forever sullied and brought into contempt were we to permit their triumph. They are striking at the very existence of democracy and liberty.

It is because it is for us a war of high, disinterested purpose, in which all the free peoples of the world are banded together for the vindication of right, a war for the preservation of our nation and of all that it has held dear of principle and of purpose, that we feel ourselves doubly constrained to propose for its outcome only that which is righteous and of irreproachable intention, for our foes as well as for our friends. The cause being just and holy, the settlement must be of like motive and quality. For this we can fight, but for nothing less noble or

less worthy of our traditions. For this cause we entered the war and for this cause will we battle until the last gun is fired.

I have spoken plainly because this seems to me the time when it is most necessary to speak plainly, in order that all the world may know that even in the heat and ardor of the struggle and when our whole thought is of carrying the war through to its end we have not forgotten any ideal or principle for which the name of America has been held in honor among the nations and for which it has been our glory to contend in the great generations that went before us. A supreme moment of history has come. The eyes of the people have been opened and they see. The hand of God is laid upon the nations. He will show them favor, I devoutly believe, only if they rise to the clear heights of His own justice and mercy.

AMERICA'S AIM IN THE WAR

AMERICA'S AIM IN THE WAR JANUARY, 1918

By WOODROW WILSON

Gentlemen of the Congress:

"Once more, as repeatedly before, the spokesmen of the Central Empires have indicated their desire to discuss the objects of the war and the possible basis of a general peace. Parleys have been in progress at Brest-Litovsk between Russian representatives and representatives of the Central Powers to which the attention of all the belligerents has been invited for the purpose of ascertaining whether it may be possible to extend these parleys into a general conference with regard to terms of peace and settlement.

The Russian representatives presented not only a perfectly definite statement of the principles upon which they would be willing to conclude peace, but also an equally definite program of the concrete application of those principles. The representatives of the Central Powers, on their part, presented an outline of settlement which, if much less definite seemed susceptible of liberal interpretation until their specific program of practical terms was added. That program proposed no concessions at all either to sovereignty of Russia or to the preferences of the population with whose fortunes it dealt, but meant, in a word, that the Central Empires were to keep every foot of territory their armed forces had occupied—every province, every city, every

point of vantage—as a permanent addition to their territories and their power.

It is a reasonable conjecture that the general principles of settlement which they at first suggested originated with the more liberal statesmen of Germany and Austria, the men who have begun to feel the force of their own peoples' thought and purpose, while the concrete terms of actual settlement came from the military leaders who have no thought but to keep what they have got. The negotiations have been broken off. The Russian representatives were sincere and in earnest. They cannot entertain such proposals of conquest and domination.

The whole incident is full of significance. It is also full of perplexity. With whom are the Russian representatives dealing? For whom are the representatives of the Central Empires speaking? Are they speaking for the majorities of their respective parliaments or for the minority parties, that military and imperialistic minority which has so far dominated their whole policy and controlled the affairs of Turkey and the Balkan states, which have felt obliged to become their associates in this war?

The Russian representatives have insisted, very justly, very wisely, and in the true spirit of democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been audience, as was desired.

To whom have we been listening, then? To those who speak the spirit and intention of the resolutions of the German reichstag of July 9 last, the spirit and intention of the liberal leaders and parties of Germany, or to those who resist and defy that spirit and intention and insist upon conquest and subjugation? Or are we listening in fact to both, unreconciled and in open and hopeless contradiction? These

are very serious and pregnant questions. Upon the answer to them depends the peace of the world.

But whatever the results of the parleys at Brest-Litovsk, whatever the confusions of counsel and of purpose in the utterances of the spokesmen of the Central Empires, they have again attempted to acquaint the world with their objects in the war and have again challenged their adversaries to say what their objects are and what sort of settlement they would deem just and satisfactory.

There is no good reason why that challenge should not be responded to and responded to with the utmost candor. We did not wait for it. Not once, but again and again we have laid our whole thought and purpose before the world, not in general terms only, but each time with sufficient definition to make it clear what sort of definite terms of settlement must necessarily spring out of them.

Within the last week Mr. Lloyd George has spoken with admirable candor and in admirable spirit for the people and government of Great Britain. There is no confusion of counsel among the adversaries of the Central Powers, no uncertainty of principle, no vagueness of detail.

The only secrecy of counsel, the only lack of fearless frankness, the only failure to make definite statement of the objects of the war lies with Germany and her allies. The issues of life and death hang upon these definitions. No statesman who has the least conception of his responsibility ought for a moment to permit himself to continue this tragical and appalling outpouring of blood and treasure unless he is sure beyond a peradventure that the objects of the vital sacrifice are part and parcel of the very life of society and that the people for whom he speaks think them right and imperative as he does.

There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people.

They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power apparently is shattered, and yet their soul is not subservient. They will not yield, either in principle or in action. The conception of what is right, of what is humane and honorable for them to accept, has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind; and they have refused to compound their ideals or desert others, that they themselves may be safe.

They call to us to say what it is that we desire, in what, if in anything, our purpose and our spirit differs from theirs, and I believe that the people of the United States would wish me to respond with utter simplicity and frankness. Whether their present leaders believe it or not, it is our heartfelt desire and hope that some way may be opened whereby we may be privileged to assist the people of Russia to attain their utmost hope of liberty and ordered peace.

"It will be our wish and purpose that the processes of peace, when they are begun, shall be absolutely open, and that they shall involve and permit henceforth no secret understandings of any kind. The day of conquest and aggrandizement is gone by; so is also the day of secret covenants entered into in the interest of particular governments,

and likely at some unlooked for moment to upset the peace of the world.

It is this happy fact, now clear to the view of every public man whose thoughts do not still linger in an age that is dead and gone, which makes it possible for every nation whose purposes are consistent with justice and the peace of the world to avow now or at any other time the objects it has in view.

We entered this war because violations of right had occurred which touched us to the quick and made the life of our own people impossible unless they were corrected and the world secured once for all against their recurrence. What we demand in this war, therefore, is nothing peculiar to ourselves.

It is that the world be made fit and safe to live in; and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression.

All the people of the world are in effect partners in this interest and for our own part we see very clearly that unless justice be done to others it will not be done to us.

The program of the world's peace, therefore, is our program, and that program, the only possible program, as we see it, is this:

I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

II. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole

or in part by international action for the enforcement of international covenants.

III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interest of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

VI. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

VII. Belgium, the whole world will agree, must be evacuated and restored without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will

serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.

VIII. All French territory should be freed and the invaded portions restored and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly fifty years, should be righted, in order that peace may once more be made secure in the interest of all.

IX. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

X. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

XI. Roumania, Serbia, and Montenegro should be evacuated; occupied territories restored; Serbia accorded free and secure access to the sea, and the relations of the several Balkan states to one another determined by friendly counsel along historically established lines of allegiance and nationality, and international guarantees of the political and economic independence and territorial integrity of the several Balkan states should be entered into.

XII. The Turkish portions of the present Ottoman empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to

the ships and commerce of all nations under international guarantees.

XIII. An independent Polish state should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

XIV. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.

In regard to these essential rectifications of wrong and assertions of right we feel ourselves to be intimate partners of all the governments and peoples associated together against the imperialists. We cannot be separated in interest or divided in purpose. We stand together until the end.

For such arrangements and covenants we are willing to fight and to continue to fight until they are achieved; but only, because we wish the right to prevail and desire a just and stable peace such as can be secured only by removing the chief provocations to war, which this program does remove.

We have no jealousy of German greatness and there is nothing in this program that impairs it. We grudge her no achievement or distinction of learning or of pacific enterprise such as have made her record very bright and very enviable. We do not wish to injure her or to block in any way her legitimate influence or power.

We do not wish to fight her either with arms or with hostile arrangements of trade, if she is willing to associate herself with us and the other peace loving nations of the world in covenants of justice

and law and fair dealing. We wish her only to accept a place of equality among the peoples of the world—the new world in which we now live—instead of a place of mastery.

Neither do we presume to suggest to her any alteration or modification of her institutions. But it is necessary, we must frankly say, and necessary as a preliminary to any intelligent dealings with her on our part, that we should know for whom her spokesmen speak when they speak to us, whether for the reichstag majority or for the military party, and the men whose creed is imperial domination.

We have spoken now, surely, in terms too concrete to admit of any further doubt or question.

An evident principle runs through the whole program I have outlined. It is the principle of justice to all peoples and nationalities, and their right to live on equal terms of liberty and safety with one another, whether they be strong or weak. Unless this principle be made its foundation no part of the structure of international justice can stand.

The people of the United States could act upon no other principle, and to the vindication of this principle they are ready to devote their lives, their honor, and everything that they possess. The moral climax of this, the culminating and final war for human liberty has come, and they are ready to put their strength, their own highest purposes, their own integrity and devotion to the test."

OUR CONSTITUTION AND OUR GOVERNMENT

OUR CONSTITUTION AND OUR GOVERNMENT

A SYMPOSIUM

THE Constitution of the United States forms a government, not a league, and whether it be formed by compact between the states or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly upon the people individually, not upon the states—they retained all the power they did not grant. But each state having expressly parted with so many powers as to constitute, jointly with the other states, a single nation, cannot from that period possess any right to secede, because such secession does not break a league, but destroys the unity of a nation, and any injury to that unity is not only a breach which would result from the contravention of a compact, but is an offense against the whole Union. To say that any state may at pleasure secede from the Union is to say that the United States is not a nation, because it would be solecism to contend that any part of a nation might dissolve its connection with the other parts, to their injury or ruin, without committing any offense.

Andrew Jackson.

The American Constitution is, so far as I can see, the most wonderful work ever struck off at a given time by the brain and purpose of man.

William E. Gladstone.

I confess I do not often envy the United States, but there is one feature in their institutions which appears to me the subject of the greatest envy—their magnificent institution of a Supreme Court.

Marquis of Salisbury.

There never existed an example before of a free community spreading over such an extent of territory; and the ablest and profoundest thinkers, at the time, believed it to be utterly impracticable that there should be. Yet this difficult problem was solved—successfully solved—by the wise and sagacious men who framed our Constitution. No; it was above unaided human wisdom—above the sagacity of the most enlightened. It was the result of a fortunate combination of circumstances cooperating and leading the way to its formation; directed by that kind Providence which has so often and so signally disposed events in our favor.

John C. Calhoun.

Society can no more exist without government, in one form or another, than man without society. It is the political, then, which includes the social, that is, his natural state; it is the one for which his Creator formed him, into which he is impelled irresistibly, and in which only his race can exist and all his faculties be fully developed. Such being the case, it follows that any—the worst—form of government is better than anarchy; and that individual liberty or freedom must be subordinate to whatever power may be necessary to protect society against anarchy within or destruction from without; for the safety and well-being of society are as paramount to individual liberty as the safety and well-being of the race is that of individuals, and, in the same propor-

tion, the power necessary for the safety of society is paramount to individual liberty.

John C. Calhoun.

It is the function of civil government to make it easy to do right and difficult to do wrong.

William E. Gladstone.

The first object of a free people is the preservation of their liberty, and liberty is to be preserved only by maintaining constitutional restraints and just divisions of political power. Nothing is more deceptive or more dangerous than the pretence of a desire to simplify government. The simplest governments are despotisms, limited monarchies; but all republics, all governments of law, must impose numerous limitations and qualifications of authority, and give many positive and many qualified rights. In other words, they must be subject to rule and regulation. This is the very essence of free political institutions.

Daniel Webster.

Since the final end of life is the development of character, government is to be tested, not by the temporal and immediate advantages which it may afford, but by its power to promote the development of true men and women. No government accomplishes this end so effectively as democratic government. Since democratic government is self-government, it introduces every man into the school of experience—of all schools the one in which the training is most thorough and the progress most rapid. The gradual and increasing effect of democracy is to give to its pupils, in lieu of a faith in some unknown God, first faith in humanity and then in God, as witnessed in life and experience of humanity; in lieu of a reverence for a few elect superiors, respect for all men;

in lieu of a lethargic counterfeit of contentment, a far-reaching and inspiring, though sometimes too eager, hopefulness; and in lieu of an often servile submission to accidental masters, a spirit of sturdy independence and mutual fellowship. So does democracy, though by very gradual and often conflicting processes, produce the liberty of a universal brotherhood, and possess the secret of public peace, the promise of public prosperity, the hope of social righteousness, and inspiration to illimitable progress.

Lyman Abbott.

The American system is a complete one, reaching down to the foundations, and the foundations are its most important portions. At the bottom lies the township, which divides the whole North and West into an infinity of little republics, each managing its own local affairs. In the old states they differ in their area and machinery. In the new states of the West they are more regular in size, being generally six miles square. Each township elects its own local officers and manages its own local affairs. Annually a town meeting is held of all the voters, and suffrage is limited only by citizenship. At these meetings, not only are the local officers elected, such as supervisors, town clerks, justices of the peace, road-masters, and the like, but money is appropriated for bridges, schools, libraries, and other purposes of a local nature.

Next above the township stands the county, an aggregate of a dozen or so of towns. Its officials—sheriffs, judges, clerks, registrars, and other officers to manage county affairs—are chosen at the general state election. It has also a local assembly, formed of the town supervisors. They audit accounts, supervise the county institutions, and legislate as to various county matters.

Above the counties, again, stands the state government, with its legislature, which passes laws relating to state affairs; and finally, the Federal government, which deals only with national concerns. The whole forms a consistent and harmonious system, which reminded Matthew Arnold of a well-fitting suit of clothes, loose where it should be loose, and tight where tightness is an advantage.

Douglas Campbell.

The President of the United States is nothing more than an elective trustee or agent, chosen by the people to administer certain well-defined and specific trusts for them and as their representative. Our fathers formulated that portion of the Constitution which concerned the presidential office under a realizing sense of the evils they had suffered while subject to the caprices of a royal ruler, and guarded well against any assumption of power or prerogative by the individual which could threaten or endanger the liberty of the people. Over one hundred years of experience have proven the wisdom and foresight of the statesmen of the Revolution. They "planned wisely and builded well." The President is still the servant of the people. His powers are great, but the fear of absolutism or of usurpation of supreme authority by him never disturbs us. The nation, even in time of war, rests secure in the consciousness of its power to confine within constitution limits, the exercise of executive authority.

Benjamin F. Tracy.

But outside, and above, and beyond all this, is the people—steady, industrious, self-possessed, caring little for abstractions, and less for abstractionists, but with one deep, common sentiment, and with the consciousness, calm but quite sure and earnest, that

in the Constitution and the Union, as they received them from their fathers, and as they themselves have observed and maintained them, is the sheet-anchor of their hope, the pledge of their prosperity, the palladium of their liberty; and with this is that other consciousness, not less calm and not less earnest, that in their own keeping exclusively, and not in that of any party leaders, or party demagogues, or political hacks or speculators, is the integrity of that Union and that Constitution. It is in the strong arms and honest hearts of the great masses, who are not members of Congress, nor holders of office, nor spouters at town-meetings, that resides the safety of the state; and these masses, though slow to move, are irresistible, when the time and occasion for moving come.

Charles King.

I maintain that our democratic principle is not that the people are always right. It is this rather: that although the people may sometimes be wrong, yet that they are not so likely to be wrong and to do wrong, as irrepressible hereditary magistrates and legislators; that it is safer to trust the many with the keeping of their own interests, than it is to trust the few to keep those interests for them.

Orville Dewey.

**MEANING AND LITERATURE
OF OUR FLAG**

MEANING AND LITERATURE OF OUR FLAG

A SYMPOSIUM

ALL hail to our glorious ensign! Courage to the heart, and strength to the hand, to which, in all time, it shall be entrusted! May it ever wave in honor, in unsullied glory, and patriotic hope, on the dome of the Capitol, on the country's stronghold, on the tented plain, on the wave-rocked topmast. Wherever, on the earth's surface, the eye of the American shall behold it, may he have reason to bless it! On whatsoever spot it is planted, there, may freedom have a foothold, humanity a brave champion, and religion an altar. Though stained with blood in a righteous cause, may it never, in any cause, be stained with shame. Alike, when its gorgeous folds shall wanton in lazy holiday triumphs on the summer breeze, and its tattered fragments be dimly seen through the clouds of war, may it be the joy and the pride of the American heart. First raised in the cause of right and liberty, in that cause alone may it forever spread out its streaming blazonry to the battle and the storm. Having been borne victoriously across the continent, and on every sea, may virtue, and freedom, and peace forever follow where it leads the way.

Edward Everett.

There is the national flag! He must be cold, indeed, who can look upon its folds rippling in the breeze without pride of country. If he be in a for-

eign land, the flag is companionship, and country itself with all its endearments. Who, as he sees it, can think of a state merely? Whose eye once fastened upon its radiant trophies can fail to recognize the image of the whole nation?

It has been called a "floating piece of poetry;" and yet I know not if it have any intrinsic beauty beyond other ensigns. Its highest beauty is in what it symbolizes. It is because it represents all, that all gaze at it with delight and reverence. It is a piece of bunting lifted in the air; but it speaks sublimely and every part has a voice. Its stripes of alternate red and white proclaim the original union of thirteen states to maintain the Declaration of Independence. Its stars, white on a field of blue, proclaim that union of states constituting our national constellation, which receives a new star with every new state. The two together signify union, past and present. The very colors have a language which was officially recognized by our fathers. White is for purity, red for valor, blue for justice; and all together—bunting, stripes, stars, and colors, blazing in the sky—make the flag of our country, to be cherished by all our hearts, to be upheld by all our hands.

Charles Sumner.

I have recently returned from an extended tour of the states, and nothing so impressed and so refreshed me as the universal display of this banner of beauty and glory. It waved over the school-houses; it was in the lands of the school children. As we speeded across the sandy wastes at some solitary place, a man, a woman, a child, would come to the door and wave it in loyal greeting. Two years ago I saw a sight that has ever been present in my memory. As we were going out of the harbor of Newport, about midnight, on a dark night, some

of the officers of the torpedo station had prepared for us a beautiful surprise. The flag at the depot station was unseen in the darkness of the night, when suddenly electric search lights were turned on it, bathing it in a flood of light. All below the flag was hidden, and it seemed to have no touch with earth, but to hang from the battlements of heaven. It was as if heaven was approving the human liberty and human equality typified by that flag.

Benjamin Harrison.

For myself, in our federal relations, I know but one section, one union, one flag, one government. That section embraces every state; that union is the Union sealed with the blood and consecrated by the tears of the Revolutionary struggle; that flag is the flag known and honored in every sea under heaven; which has borne off glorious victory from many a bloody battlefield, and yet stirs with warmer and quicker pulsations the heart's blood of every true American, when he looks upon its stars and stripes. I will sustain that flag wherever it waves—over the sea or over the land. And when it shall be despoiled and disfigured, I will rally around it still, as the star-spangled banner of my fathers and my country; and, so long as a single stripe can be discovered, or a single star shall glimmer from the surrounding darkness, I will cheer it as the emblem of a nation's hope.

Daniel S. Dickinson.

Behold it! Listen to it! Every star has a tongue; every stripe is articulate. "There is no language or speech where their voices are not heard." There is magic in the web of it. It has an answer for every question of duty. It has a solution for every doubt and perplexity. It has a word of good cheer for

every hour of gloom or of despondency. Behold it! Listen to it! It speaks of earlier and of later struggles. It speaks of victories, and sometimes of reverses, on the sea and on the land. It speaks of patriots and heroes among the living and the dead. But before all and above all other associations and memories, whether of glorious men, or glorious deeds, or glorious places, its voice is ever of Union and Liberty, of the Constitution and the Laws.

Robert C. Winthrop.

In 1777, within a few days of one year after the Declaration of Independence, the Congress of the Colonies assembled and ordained this glorious national flag which we now hold and defend, and advanced it full high before God and all men, as the flag of liberty.

It was no holiday flag emblazoned for gayety or vanity. It was a solemn national signal. When that banner first unrolled to the sun, it was the symbol of all those holy truths and purposes which brought together the Colonial American Congress! Our flag means, then, all that our fathers meant in the Revolutionary War; it means all that the Declaration of Independence meant; it means all that the Constitution of our people, organizing for justice, for liberty, and for happiness, meant. Our flag carries American ideas, American history, and American feelings. Beginning with the colonies and coming down to our time, in its sacred heraldry, in its glorious insignia, it has gathered and stored chiefly this supreme idea—divine right of liberty in man. Every color means liberty; every thread means liberty; not lawlessness, not license; but organized, institutional liberty—liberty through law, and laws for liberty.

It is not a painted rag. It is a whole national history. It is the Constitution. It is the government. It is the free people that stand in the government on the Constitution. Forget not what it means; and for the sake of its ideas, be true to your country's flag.

Henry Ward Beecher.

THE NATURE AND DEVELOPMENT
OF PATRIOTISM

THE NATURE AND DEVELOPMENT OF PATRIOTISM

A SYMPOSIUM

IT is the love of the people, it is their attachment to their government from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience without which your army would be a base rabble and your navy nothing but rotten timber.

Edmund Burke.

That patriotism which, catching its inspiration from on high, and leaving at an immeasurable distance below all lesser, groveling, personal interests and feelings, animates and prompts to deeds of self-sacrifice, of valor, of devotion, and of death itself—that is public virtue; that is the noblest, the sublimest of all public virtues! Personal or private courage is totally distinct from that higher and nobler courage which prompts the patriot to offer himself a voluntary sacrifice to his country's good.

Henry Clay.

What is it to be an American? Putting aside all the outer shows of dress and manners, social customs and physical peculiarities, is it not to believe in America and in the American people? Is it not to have an abiding and moving faith in the future and in the destiny of America?—something above and beyond the patriotism and love which every man whose soul is not dead within him feels for the

land of his birth? Is it not to be national and not sectional, independent and not colonial? Is it not to have a high conception of what this great new country should be, and to follow out that ideal with loyalty and truth?

Henry Cabot Lodge.

Have we not learned that not stocks and bonds, nor stately houses nor lands, nor the product of the mill, is our country? It is a spiritual thought that is in our minds. It is the flag and what it stands for. It is its glorious history. It is the fireside and the home. It is the high thoughts that are in the heart, born of the inspiration which comes by the stories of their fathers, the martyrs to liberty; it is the grave-yards into which our careful country has gathered the unconscious dust of those who have died. Here, in these things, is that which we love and call our country, rather than in anything that can be touched or handled.

Benjamin Harrison.

With passionate heroism, of which tradition is never weary of tenderly telling, Arnold von Winkelried gathers into his bosom the sheaf of foreign spears, that his death may give life to his country. So Nathan Hale, disdaining no service that his country demands, perishes untimely, with no other friend than God and the satisfied sense of duty. So George Washington, at once comprehending the scope of the destiny to which his country was devoted, with one hand puts aside the crown, and with the other sets his slaves free. So, through all history from the beginning, a noble army of martyrs has fought fiercely and fallen bravely for that unseen mistress, their country. So, through all history to the end, as long as men believe in God, that army must still march and fight and fall—recruited only from the flower

of mankind, cheered only by their own hope of humanity, strong only in their confidence in their cause.

George W. Curtis.

In the war of the Revolution, when it was thought the cause was lost, men became inspired at the very mention of the name of George Washington. In 1812, when we succeeded once more against the mother country, men were looking for a hero, and there rose before them that rugged, grim, independent old hero, Andrew Jackson. In the last and greatest of all wars, an independent and tender-hearted man was raised up by Providence to guide the helm of state through that great crisis, and men confidently placed the destinies of this great land in the hands of Abraham Lincoln. In the annals of our country, we find no man whose training had been so peaceful, whose heart was so gentle, whose nature was so tender, and yet who was called upon to marshal the hosts of the masses of the people during four years of remorseless and bloody and unrelenting fratricidal war.

Horace Porter.

And how is the spirit of a free people to be formed and animated and cheered, but out of the storehouse of its historic recollections? Are we to be eternally ringing the changes upon Marathon and Thermopylae; and going back to read in obscure texts of Greek and Latin of the exemplars of patriotic virtue? I thank God that we can find them nearer home, in our own country, on our own soil; that strains of the noblest sentiment that ever swelled in the breast of man, are breathing to us out of every page of our country's history, in the native eloquence of our native tongue; that the colonial and provincial councils of America exhibit to us models of the spirit and character which gave Greece

and Rome their name and their praise among the nations. Here we may go for our instruction; the lesson is plain, it is clear, it is applicable.

Edward Everett.

As the American youth, for uncounted centuries, shall visit the capital of his country—strongest, richest, freest, happiest of the nations of the earth—from the stormy coast of New England, from the luxurious regions of the Gulf, from the prairie and the plain, from the Golden Gate, from far Alaska—he will admire the evidences of its grandeur and the monuments of its historic glory.

He will find there rich libraries and vast museums, which show the product of that matchless inventive genius of America, which has multiplied a thousand-fold the wealth and comfort of human life. He will see the simple and modest portal through which the great line of the Republic's chief magistrates have passed, at the call of their country, to assume an honor surpassing that of emperors and kings, and through which they have returned, in obedience to her laws, to take their place again as equals in the ranks of their fellow citizens. He will stand by the matchless obelisk, which, loftiest of human structures, is itself but the imperfect type of the loftiest of human characters. He will gaze upon the marble splendors of the Capitol, in whose chambers are enacted the statutes under which the people of a continent dwell together in peace, and the judgments are rendered which keep the forces of states and nation alike within their appointed bounds. He will look upon the records of great wars and the statues of great commanders. But, if he knew his country's history, and consider wisely the sources of her glory, there is nothing in all these which will so stir his heart as two fading and time-soiled papers

whose characters were traced by the hands of the fathers one hundred years ago. They are the original records of the acts which devoted this nation, forever, to equality, to education, to religion, and to liberty. One is the Declaration of Independence, the other is the Ordinance of 1787.

George F. Hoar.

THE DECLARATION OF
INDEPENDENCE

THE DECLARATION OF INDEPENDENCE

(In Congress, July 4, 1776.—The Unanimous Declaration of the Thirteen United States of America).

WHEN in the course of human events, it becomes necessary for one people to dissolve the political bonds which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute a new Government, laying its foundation on such principles and organizing its power in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more dis-

posed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasion on the rights of the people.

He has refused, for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws of Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us.

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their Friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the Good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be, Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a

firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honour.

JOHN HANCOCK.

New Hampshire—Josiah Bartlett, Wm. Whipple, Matthew Thornton.

Massachusetts Bay—Saml. Adams, John Adams, Robt. Treat Paine, Elbridge Gerry.

Rhode Island—Step. Hopkins, William Ellery.

Connecticut—Roger Sherman, Sam'el Huntington, Wm. Williams, Oliver Wolcott.

New York—Wm. Floyd, Phil. Livingston, Frans. Lewis, Lewis Morris.

New Jersey—Richd. Stockton, Jno. Witherspoon, Fras. Hopkinson, John Hart, Abra. Clark.

Pennsylvania—Robt. Morris, Benjamin Rush, Benja. Franklin, John Morton, Geo. Clymer, Jas. Smith, Geo. Taylor, James Wilson, Geo. Ross.

Delaware—Caesar Rodney, Geo. Read, Tho. M'Kean.

Maryland—Samuel Chase, Wm. Paca, Thos. Stone, Charles Carroll of Carrollton.

Virginia—George Wythe, Richard Henry Lee, Th. Jefferson, Benja. Harrison, Thos. Nelson, jr., Francis Lightfoot Lee, Carter Braxton.

North Carolina—Wm. Hooper, Joseph Hewes, John Penn.

South Carolina—Edward Rutledge, Thos. Heyward, Junr., Thomas Lynch, Junr., Arthur Middleton.

Georgia—Button Gwinnett, Lyman Hall, Geo. Walton.

**THE CONSTITUTION OF THE
UNITED STATES**

THE CONSTITUTION OF THE UNITED STATES

WE, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

Sec. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

No person shall be a Representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

(Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding

to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.)* The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Sec. 3. The Senate of the United States shall be composed of two Senators from each state, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and

*The clause included in brackets is amended by the XIVth Amendment, 2d section.

if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honour, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

Sec. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Sec. 5. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Sec. 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Sec. 7. All bills for raising revenues shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and the House of Representatives may be necessary (except on a question of

adjournment) shall be presented to the President of the United States; and before the same shall take effect shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. 8. The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post-offices and post-roads.

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for the calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Sec. 9. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such

importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and the expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Sec. 10. No State shall enter into any treaty, alliance, or confederation; grant letters of marque or reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for

executing its inspection laws; and the net produce of all duties and imposts; laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of the Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

Section 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows:

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

(The electors shall meet in their respective States, and vote by ballot for two persons, of which one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates, and the votes shall

then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President; but if there should remain two or more who have equal votes, the Senate shall choose from them, by ballot, the Vice-President.*)

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the

*This clause in brackets has been superseded by the XIIth Amendment.

Congress may by law provide for the case of removal, death, resignation, or inability, both of the President or Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States."

Sec. 2. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise pro-

vided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of laws, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Sec. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sec. 4. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanours.

ARTICLE III

Section 1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Sec. 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority, to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens, or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, both as to law and fact, with such exception, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Sec. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare punishment of treason, but no attainer of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV

Section 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Sec. 2. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No person held to service or labour in any State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

Sec. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction or two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

Sec. 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendments which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the

supreme law of the land; and the judges in every State shall be bound thereby, any thing in the constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the unanimous consent of the States present,* the Seventeenth day of September, in the year of our Lord 1787, and of the Independence of the United States of America the Twelfth.

In Witness whereof we have hereunto subscribed our names.

GEO. WASHINGTON,
Presidt. and Deputy from Virginia.

New Hampshire—John Langdon, Nicholas Gilman.

Massachusetts—Nathaniel Gorham, Rufus King.

*Rhode Island was not represented. Several of the delegates had left the Convention before it concluded its labours, and some others who remained refused to sign. In all, 65 delegates had been appointed, 55 attended, 49 signed.

The first ratification was that of Delaware, Dec. 7, 1787; the ninth (bringing the Constitution into force) that of New Hampshire, June 21, 1788; the last, that of Rhode Island, May 29, 1790.

Connecticut—Wm. Saml. Johnson, Roger Sherman.

New York—Alexander Hamilton.

New Jersey—Wil. Livingston, Wm. Patterson, David Brearley, Jona. Dayton.

Pennsylvania—B. Franklin, Thos. Fitzsimons, Thomas Mifflin, Jared Ingersoll, Robt. Morris, James Wilson, Geo. Clymer, Gouv. Morris.

Delaware—Geo. Read, Richard Bassett, Gunning Bedford, Jun., Jaco. Brown, John Dickinson.

Maryland—James M'Henry, Dan. Carroll, Dan. Jenifer, of St. Thomas.

Virginia—John Blair, James Madison, Jun.

North Carolina—Wm. Blount, Hugh Williamson, Rich'd. Dobbs Speight.

South Carolina—J. Rutledge, Charles Pinckney, Charles Cotesworth Pinckney, Pierce Butler.

Georgia—William Few, Abr. Baldwin.

Attest: WILLIAM JACKSON, Secretary.

Articles in addition to, and amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

ARTICLE I*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

*Amendments I-X inclusive were proposed by Congress to the Legislatures of the States, Sept. 25, 1789, and ratified 1789-91.

ARTICLE II

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in the time of war, but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witness against him; to have compulsory process for obtaining witnesses in his favour, and to have the assistance of counsel for his defence.

ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX

The enumeration of the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States,

are reserved to the States respectively, or to the people.

ARTICLE XI*

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens of any foreign State.

ARTICLE XII*

The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom at least shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted;—The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as

*Amendt. XI was proposed by Congress Sept. 5, 1794, and declared to have been ratified by the legislatures of the three-fourths of the States, Jan. 8, 1798.

*Amendt. XII was proposed by Congress, Dec. 12, 1803, and declared to have been ratified Sept. 25, 1804.

President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII*

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

*Amendt. XIII was proposed by Congress, Feb. 1, 1865, and declared to have been ratified by 27 of the 36 States, Dec. 18, 1865.

ARTICLE XIV[†]

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any persons of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Sec. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of the State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Sec. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of the Congress, or as an officer of the United States, or as a

[†]Amendt. XIV was proposed by Congress June 16, 1866, and declared to have been ratified by 30 of the 36 States, July 28, 1868.

member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Sec. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

Sec. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV*

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, colour, or previous condition of servitude.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

*Amendt. XV was proposed by Congress Feb. 26, 1869, and declared to have been ratified by 29 of the 37 States, March 30, 1870.

THE MONROE DOCTRINE



THE MONROE DOCTRINE

(Extract from President Monroe's Message to Congress; December 2, 1823).

Fellow-Citizens of the Senate and House of Representatives:

AT the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg, to arrange by amicable negotiation, the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal has been made by his Imperial Majesty to the Government of Great Britain, which likewise has been acceded to. The Government of the United States has been desirous, by this friendly proceeding, of manifesting the great value which they have invariably attached to the friendship of the Emperor, and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

* * * * *

It was stated at the commencement of the last session that an effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe with which we have so much intercourse, and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of our most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have

not interfered and shall not interfere. But with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the war between these new governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed, by force, in the internal concerns of Spain. To what extent such interposition may be carried on the same principle, is a question in which all independent powers whose governments differ from theirs are interested, even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting, in all instances, the just claims of every power; submitting

to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe that our Southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

If we compare the present condition of our Union with its actual state at the close of our Revolution, the history of the world furnishes no example of a progress in improvements in all the important circumstances which constitute the happiness of a nation which bears any resemblance to it. At the first epoch our population did not exceed three millions. By the last census it amounted to about ten millions, and, what is more extraordinary, it is almost altogether native, for the emigration from other countries has been inconsiderable. At the first epoch half the territory within our acknowledged limits was uninhabited and a wilderness. Since then new territory has been acquired of vast extent, comprising within it many rivers, particularly the Mississippi, the navigation of which to the ocean was of the highest importance to the original states. Over this territory our population has expanded in every direction, and new states have been established almost equal in number to those which formed the first bond of our Union. This expansion of our population and

accession of new states to our Union have had the happiest effect on all its highest interests. That it has eminently augmented our resources and added to our strength and respectability as a power is admitted by all. But it is not in these important circumstances only that this happy effect is felt. It is manifest that, by enlarging the basis of our system and increasing the number of states, the system itself has been greatly strengthened in both its branches. Consolidation and disunion have thereby been rendered equally impracticable. Each government, confiding in its won strength, has less to apprehend from the other; and in consequence, each, enjoying a greater freedom of action, is rendered more efficient for all the purposes for which it was instituted. It is unnecessary to treat here of the vast improvement made in the system itself by the adoption of this Constitution, and of its happy effect in elevating the character and in protecting the rights of the nation as well as of individuals. To what, then, do we owe these blessings? It is known to all that we derive them from the excellence of our institutions. Ought we not, then, to adopt every measure which may be necessary to perpetuate them?

JAMES MONROE.

THE COVENANT OF THE
LEAGUE OF NATIONS

THE COVENANT OF THE LEAGUE OF NATIONS

Text of the Plan adopted by the Paris Peace
Conference, April 28, 1919

Preamble

IN order to promote international co-operation and to achieve international peace and security, by the acceptance of obligations not to resort to war, by the prescription of open, just and honourable relations between nations, by the firm establishment of the understandings of international law as to actual rule of conduct among Governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, the high contracting parties agree to this covenant of the League of Nations.

ARTICLE I

The original members of the League of Nations shall be those of the signatories which are named in the annex to the covenant and also such of those other states named in the annex as shall accede without reservation to this covenant. Such accessions shall be effected by a declaration deposited with the Secretariat within two months of the coming into force of the covenant. Notice thereof shall be sent to all other members of the league.

Any fully self-governing state, dominion or colony not named in the annex may become a member of the league if its admission is agreed to by two-thirds of the assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations and shall accept such regulations as may be prescribed by the league in regard to its military and naval forces and armaments.

Any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

ARTICLE II

The action of the league under this covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

ARTICLE III

The Assembly shall consist of representatives of the members of the league.

The Assembly shall meet at stated intervals, and from time to time as occasion may require, at the seat of the league, or at such other place as may be decided upon.

The Assembly may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

At meetings of the Assembly each member of the league shall have one vote, and may have not more than three representatives.

ARTICLE IV

The Council shall consist of representatives of the United States of America, of the British Empire, of France, of Italy, and of Japan, together with representatives of four other members of the league. These four members of the league shall be selected by the Assembly from time to time in its discretion. Until the appointment of the representatives of the four members of the league first selected by the Assembly, representatives of Belgium, Brazil, Greece and Spain shall be members of the Council.

With the approval of the majority of the Assembly, the Council may name additional members of the league, whose representatives shall always be members of the Council; the Council with like approval may increase the number of members of the league to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as occasion may require, and at least once a year, at the seat of the league, or at such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

Any member of the league not represented on the Council shall be invited to send a representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that member of the league.

At meetings of the Council, each member of the league represented on the Council shall have one vote, and may have not more than one representative.

ARTICLE V

Except where otherwise expressly provided in this covenant, or by the terms of this treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the members of the league represented at the meeting.

All matters of procedure at meetings of the Assembly or the Council, the appointment of committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the members of the league represented at the meeting.

The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

ARTICLE VI

The permanent Secretariat shall be established at the seat of the league. The Secretariat shall comprise a Secretary General and such secretaries and staff as may be required.

The first Secretary General shall be the person named in the annex; thereafter the Secretary General shall be appointed by the Council with the approval of the majority of the Assembly.

The secretaries and the staff of the Secretariat shall be appointed by the Secretary General with the approval of the Council.

— The Secretary General shall act in that capacity at all meetings of the Assembly and of the Council.

The expenses of the Secretariat shall be borne by the members of the league in accordance with the apportionment of the expense of the International Bureau of the Universal Postal Union.

ARTICLE VII

The seat of the league is established at Geneva.

The Council may at any time decide that the seat of the league shall be established elsewhere.

All positions under or in connection with the league, including the Secretariat, shall be open equally to men and women.

Representatives of the members of the league and officials of the league when engaged on the business of the league shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the league or its officers or by representatives attending its meetings shall be inviolable.

ARTICLE VIII

The members of the league recognize that the maintenance of a peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

The Council, taking account of the geographical situation and circumstances of each state, shall formulate plans for such reduction for the consideration and action of the several Governments.

Such plans shall be subject to reconsideration and revision at least every ten years.

After these plans shall have been adopted by the several Governments, limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

The members of the league agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The

Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those members of the league which are not able to manufacture the munitions and implements of war necessary for their safety.

The members of the league undertake to interchange full and frank information as to the scale of their armaments, their military and naval programmes and the condition of such of their industries as are adaptable to warlike purposes.

ARTICLE IX

A permanent commission shall be constituted to advise the Council on the execution of the provisions of Articles I and VIII and on military and naval questions generally.

ARTICLE X

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled.

ARTICLE XI

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace

of nations. In case any such emergency should arise, the Secretary General shall, on the request of any member of the league, forthwith summon a meeting of the Council.

It is also declared to be the friendly right of each member of the league to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb either the peace or the good understanding between nations upon which peace depends.

ARTICLE XII

The members of the league agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

ARTICLE XIII

The members of the league agree that whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration. Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the repara-

tion to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration. For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The members of the league agree that they will carry out in full good faith any award that may be rendered and that they will not resort to war against a member of the league which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE XIV

The Council shall formulate and submit to the members of the league for adoption, plans for the establishment of a permanent Court of International Justice. The court shall be competent to hear and determine any dispute of any international character which the parties thereto submit to it. The court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

ARTICLE XV

If there should arise between members of the league any dispute likely to lead to a rupture, which is not submitted to arbitration as above, the members of the league agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary General, who will make all necessary arrangements for a full investigation and consideration thereof. For this

purpose the parties to the dispute will communicate to the Secretary General, as promptly as possible, statements of their case, all the relevant facts and papers; and the Council may forthwith direct the publication thereof.

The Council shall endeavor to effect a settlement of any dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

Any member of the league represented on the Council may make public a statement of the facts of the dispute and of its conclusion regarding the same.

If a report by the Council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the members of the league agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the members of the league reserve to themselves the right to take action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council to arise out of a matter which by international law is solely

within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

The Council may in any case under this article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party of the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council.

In any case referred to the Assembly all the provisions of this article and of Article XII relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the representatives of those members of the league represented on the Council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.

ARTICLE XVI

Should any member of the league resort to war in disregard of its covenants under Article XII, XIII or XV, it shall ispo facto be deemed to have committed an act of war against all the other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking state and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking state and the nationals of any other state, whether a member of the league or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military or naval forces the members of the league shall severally contribute to the armaments of the league.

The members of the league agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking state, and that they will take the necessary steps to afford passage through their territory to the forces of any of the members of the league which are co-operating to protect the covenants of the league.

Any member of the league which has violated any covenant of the league may be declared to be no longer a member of the league by a vote of the Council concurred in by the representatives of all the other members of the league represented thereon.

ARTICLE XVII

In the event of a dispute between a member of the league and a state which is not a member of the league, or between state or states not members of the league, shall be invited to accept the obligations of membership in the league for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles XII to XVI inclusive shall be applied with such modifications as may be deemed necessary by the Council.

Upon such invitation being given, the Council shall immediately institute an inquiry into the circum-

stances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

If a state so invited shall refuse to accept the obligations of membership in the league for the purposes of such dispute, and shall resort to war against a member of the league, the provisions of Article XVI shall be applicable as against the state taking such action.

If both parties to the dispute, when so invited, refuse to accept the obligations of membership in the league for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ARTICLE XVIII

Every treaty or international engagement entered into henceforward by any member of the league shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

ARTICLE XIX

The Assembly may from time to time advise the reconsideration by members of the league of treaties which have become inapplicable, and the consideration of international conditions whose continuance might endanger the peace of the world.

ARTICLE XX

The members of the league severally agree that this covenant is accepted as abrogating all obligations or understandings inter se which are inconsis-

ent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case members of the league shall, before becoming a member of the league, have undertaken any obligations inconsistent with the terms of this covenant, it shall be the duty of such member to take immediate steps to procure its release from such obligations.

ARTICLE XXI

Nothing in this covenant shall be deemed to affect the validity of international engagements such as treaties of arbitration or regional understandings like the Monroe Doctrine for securing the maintenance of peace.

ARTICLE XXII

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the states which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this covenant.

The best method of giving practicable effect to this principle is that the tutelage of such peoples be intrusted to advanced nations who, by reasons of their resources, their experience or their geographical position, can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as mandataries on behalf of the league.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic condition and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized, subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience or religion subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the league.

There are territories, such as Southwest Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population or their small size or their remoteness from the centres of civilization or their geographical contiguity to the territory of the mandatory and other circumstances, can be best administered under the laws of the mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population. In every case of mandate, the mandatory shall render to the Council

an annual report in reference to the territory committed to its charge.

The degree of authority, control or administration to be exercised by the mandatary shall, if not previously agreed upon by the members of the league, be explicitly defined in each case by the Council.

A permanent commission shall be constituted to receive and examine the annual reports of the mandatories and to advise the Council on all matters relating to the observance of the mandates.

ARTICLE XXIII

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the members of the league (a) will endeavor to secure and maintain fair and humane conditions of labour for men, women and children both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations; (b) undertake to secure just treatment of the native inhabitants of territories under their control; (c) will intrust the league with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs; (d) will intrust the league with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest; (e) will make provision to secure and maintain freedom of communication and of transit and equitable treatment for the commerce of all members of the league. In this connection the special necessities of the regions devastated during the war of 1914-1918 shall be in mind; (f) will endeavour

to take steps in matters of international concern for the prevention and control of disease.

ARTICLE XXIV

There shall be placed under the direction of the league all international bureaus already established by general treaties if the parties to such treaties consent. All such international bureaus and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the league.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaus or commissions, the Secretariat of the league shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information, and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the league.

ARTICLE XXV

The members of the league agree to encourage and promote the establishment and co-operation of duly authorized voluntary national Red Cross organizations having as purposes improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

ARTICLE XXVI

Amendments to this covenant will take effect when ratified by the members of the league whose representatives compose the Council and by a majority of

the members of the league whose representatives compose the Assembly.

No such amendment shall bind any member of the League which signifies its dissent therefrom, but in that case it shall cease to be a member of the League.

ANNEX TO THE COVENANT

One. Original members of the League of Nations.
Signatories of the Treaty of Peace.

United States of America, Belgium, Bolivia, Brazil, British Empire, Canada, Australia, South Africa, New Zealand, India, China, Cuba, Czecho-Slovakia, Ecuador, France, Greece, Guatemala, Haiti, Hedjaz, Honduras, Italy, Japan, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Rumania, Serbia, Siam, Uruguay.

States invited to accede to the covenant.

Argentine Republic, Chile, Columbia, Denmark, Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland, Venezuela.

Two. First Secretary General of the League of Nations.

THE AMERICAN SYSTEM
OF GOVERNMENT

THE AMERICAN SYSTEM OF GOVERNMENT

The Courts and the Constitution

CHAPTER I

The Federal Courts

WHEN in 1788 the loosely confederated States of North America united themselves into a nation, national tribunals were felt to be a necessary part of the national government. Under the Confederation there had existed no means of enforcing the treaties made or orders issued by the Congress, because the courts of the several States owed no duty to that feeble body, and had little will to aid it. Now that a Federal legislature had been established, whose laws were to bind directly the individual citizen, a Federal judicature was evidently needed to interpret and apply these laws, and to compel obedience to them. State courts were fitted to deal with matters of a quasi-international character, such as admiralty jurisdiction and rights arising under treaties. They supplied no means for deciding questions between different States. They could not be trusted to do complete justice between their own citizens and those of another State. Being authorities co-ordinate with, and independent of, one another, with no common court of appeal placed over them to correct their errors or harmonize their views, they would be likely

to interpret the Federal constitution and statutes in different senses, and make the law uncertain to the variety of their decisions. These reasons pointed imperatively to the establishment of a new tribunal or set of tribunals, altogether detached from the States, as part of the machinery of the new government. Side by side of the thirteen (now forty-five) different sets of State courts, whose jurisdiction under State laws and between their own citizens was left untouched, there arose a new and complex system of Federal courts. The Constitution drew the outlines of the system. Congress perfected it by statutes; and as the details rest upon these statutes, Congress retains the power of altering them. Few American institutions are better worth studying than this intricate judicial machinery: few deserve more admiration for the smoothness of their working: few have more contributed to the peace and well-being of the country.

The Federal courts fall into three classes:—
The Supreme Court, which sits at Washington.
The Circuit courts.
The District courts.

The Supreme Court is directly created by the Constitution but with no provision as to the number of its judges. Originally there were six; at present there are nine, a Chief Justice, with a salary of \$10,500, and eight associate justices (salary \$10,000). The justices are nominated by the President and confirmed by the Senate. They hold office during good behavior, i.e., they are removable only by impeachment. The Fathers of the Constitution were extremely anxious to secure the independence of their judiciary, regarding it as a bulwark both for the people and for the States against aggressions of either Congress or the President. They affirmed

the life tenure by an unanimous vote in the Convention of 1787, because they deemed the risk of the continuance in office of an incompetent judge a less evil than the subserviency of all judges to the legislature, which might flow from a tenure dependent on legislative will. The result has justified their expectations. The judges have shown themselves independent of Congress and of party, yet the security of their position has rarely tempted them to breaches of judicial duty. Impeachment has been four times restored to, once only against a justice of the Supreme Court, and then unsuccessfully.

The Supreme Court sits at Washington from October till July in every year. The presence of six judges is required to pronounce a decision, a rule which, by preventing the division of the court into two or more branches, retards the dispatch of business, though it has the advantage of securing a thorough consideration of every case. The sittings are held in the Capitol, in the chamber formerly occupied by the Senate, and the justices wear black gowns. Every case is discussed by the whole body twice over, once to ascertain the opinion of the majority, which is then directed to be set forth in a written judgment; then again when that written judgment, which one of the judges has prepared, is submitted for criticism and adoption as the judgment of the court.

The Circuit Courts have been created by Congress under a power in the Constitution to establish "inferior courts." There are at present nine judicial circuits, in which courts are held annually. Each of these has two Circuit judges (salary \$6,000), and to each there is also allotted one of the justices of the Supreme Court. The Circuit Court may be held either by the Circuit judge alone, or by the Supreme

Court Circuit Justice alone, or by both together, or by either sitting along with the District judge (hereafter mentioned) of the district wherein the particular Circuit Court is held, or by the District judge alone. [By a statute of 1891, Circuit Courts of Appeals were established. Cases may be brought to these from District or Circuit Courts, as also certain cases, direct appeal may be brought from the District or Circuit Courts.] An appeal lies from the Circuit Court to the Supreme Court, except in certain cases where the amount in dispute is small.

The District Courts are the third and lowest class of Federal tribunals. They are at present fifty-five in number, and their judges receive salaries of \$5,000 per annum. The Constitution does not expressly state whether they and the Circuit judges are to be appointed by the President and Senate like the members of the Supreme Court; but it has always been assumed that such was its intention, and the appointments are so made accordingly.

For the purpose of dealing with the claims of private persons against the Federal government there has been established in Washington a special tribunal called the Court of Claims, with five justices (salary \$4,500), from which an appeal lies direct to the Supreme Court.

The jurisdiction of the Federal courts extends to the following classes of cases. All other cases have been left to the State courts, from which there does not lie (save as hereinafter specified) any appeal to the Federal courts.

1. "Cases in law and equity arising under the Constitution, the laws of the United States and treaties made under their authority."

In order to enforce the supremacy of the national Constitution and laws over all State laws, it was ne-

cessary to place the former under the guardianship of the national judiciary. This provision accordingly brings before a Federal court every cause in which either party to a suit relies upon any Federal enactment. It entitles a plaintiff who bases his case on a Federal statute to bring his action in a Federal court: it entitles a defendant who rests his defense on a Federal enactment to have the action, if originally brought in a State court, removed to a Federal court. But, of course, if the action has originally been brought in a State court, there is no reason for removing it unless the authority of the Federal enactment can be supposed to be questioned. Accordingly, the rule laid down by the Judiciary Act (1789) provides "for the removal to the Supreme Court of the United States of the final judgment or decree in any suit, rendered in the highest court of law or equity of a State in which a decision could be had, in which is drawn in question the validity of a treaty or statute of, or authority exercised under, the United States, and the decision is again their validity; or where is drawn in question the validity of a statute of, or an authority exercised under, any State, on the ground of their being repugnant to the Constitution, treaties, or laws of the United States, and the decision is in favor of their validity; or where any title, right, privilege, or immunity is claimed under the Constitution, or any treaty or statute of a commission held or authority exercised under the United States, and the decision is against the title, right, privilege, or immunity specially set up or claimed by either party under such Constitution, treaty, statute, commission, or authority. But to authorize the removal under that act, it must appear by the record, either expressly or by clear and necessary intendment, that some one of the enumerated questions did

arise in the State court, and was there passed upon. It is not sufficient that it might have arisen or been applicable. And if the decision of the State court is in favor of the right, title, privilege, or exemption so claimed, the Judiciary Act does not authorize such removal, neither does it where the validity of the State law is drawn in question, and the decision of the State court is against its validity."

The rule seems intricate, but the motive for it and the working of it are plain. Where in any legal proceeding a Federal enactment has to be construed or applied by a State court, if the latter supports the Federal enactment, i.e., considers it to govern the case, and applies it accordingly, the supremacy of Federal law is thereby recognized and admitted. There is therefore no reason for removing the case to a Federal tribunal. Such a tribunal could do no more to vindicate Federal authority than the State court has already done. But if the decision of the State court has been against the applicability of the Federal law, it is only fair that the party who suffers by the decision should be entitled to Federal determination of the point, and he has accordingly an absolute right to carry it before the Supreme Court.

The principle of this rule is applied even to executive acts of the Federal authorities. If, for instance, a person has been arrested by a Federal officer, a State court has no jurisdiction to release him on a writ of habeas corpus, or otherwise to inquire into the lawfulness of his detention by Federal authority, because, as was said by Chief Justice Taney, "The powers of the general government and of the State, although both exist and are exercised within the same territorial limits, are yet separate and distinct sovereignties, acting separately and independently of each other, within their respective spheres. And

the sphere of action appropriated to the United States is as far beyond the reach of the judicial process issued by a State court as if the line of division was traced by landmarks and monuments visible to the eye."

2. "Cases affecting ambassadors, other public ministers, and consuls."

As these persons have an international character, it would be improper to allow them to be dealt with by a State court which has nothing to do with the national government, and for whose learning and respectability there may exist no such securities as those that surround the Federal courts.

3. "Cases of admiralty and maritime jurisdiction."

These are deemed to include not only prize cases but all maritime contracts, and all transactions relating to navigation, as well on the navigable lakes and rivers of the United States as on the high seas.

4. "Controversies to which the United States shall be a party."

This provision is obviously needed to protect the United States from being obliged to sue or be sued in a State court, to whose decision the national government could not be expected to submit. When a pecuniary claim is sought to be established against the Federal government, the proper tribunal is the Court of Claims.

5. "Controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects."

In all these cases a State court is likely to be, or at any rate to seem, a partial tribunal, and it is therefore desirable to vest the jurisdiction in judges

equally unconnected with the plaintiff and the defendant. By securing recourse to an unbiased and competent tribunal, the citizens of every State obtain better commercial facilities than they could otherwise count upon, for their credit will stand higher with persons belonging to other States if the latter know that their legal rights are under the protection, not of local and possibly prejudiced judges, but of magistrates named by the national government, and unamenable to local influences.

One important part of the jurisdiction here conveyed has been subsequently withdrawn from the Federal judicature. When the Constitution was submitted to the people, a principal objection urged against it was that it exposed a State although a sovereign commonwealth, to be sued by the individual citizens of some other State. That one State should sue another was perhaps necessary, for what other way could be discovered of terminating disputes? But the power as well as the dignity of a State would be gone if it could be dragged into court by a private plaintiff. An amendment (the eleventh) to the Constitution was passed through Congress and duly accepted by the requisite majority of the States, which declares that "the judicial power of the United States shall not be construed to extend to any suit commenced or prosecuted against one of the United States by citizens of another State or by citizens or subjects of any foreign State." Under the protection of this amendment, not a few States have with impunity repudiated their debts.

The jurisdiction of the Supreme Court is original in cases affecting ambassadors, and wherever a State is a party; in other cases it is appellate; that is, cases may be brought to it from the inferior Federal courts and (under the circumstances before mentioned)

from State courts. The jurisdiction is in some matters exclusive, in others concurrent with that of the State courts. The State courts cannot be invested by Congress with any jurisdiction, for Congress has no authority over them, and is not permitted by the Constitution to delegate any judicial powers to them. Hence the jurisdiction of a State court, wherever it is concurrent with that of Federal judges, is a jurisdiction which the court possesses of its own right, independent of the Constitution.

The criminal jurisdiction of the Federal courts, which extends to all offenses against Federal law, is purely statutory. "The United States, as such, can have no common law. It derives its powers from the grant of the people made by the Constitution, and they are all to be found in the written law, and not elsewhere." The procedure of the Federal courts is prescribed by Congress, subject to some few rules contained in the Constitution, such as those which preserve the right of trial by jury in criminal cases and suits at common law.

The law applied in the Federal courts is of course, first and foremost, that enacted by the Federal legislature, which, when it is applicable, prevails against any State law. In administering the law of any State the Federal courts ought to follow the decisions of the State courts, treating those decisions as the highest authority on the law of the particular State. This doctrine is so fully applied that the Supreme Court has even overruled its own previous determinations on a point of State law in order to bring itself into agreement with the view of the highest court of the particular State. Needless to say, the State courts follow the decision of the Federal courts upon questions of Federal law.

For the execution of its powers each Federal court

has attached to it an officer called the United States Marshal, corresponding to the sheriff in the State governments, whose duty it is to carry out its writs, judgments, and orders by arresting prisoners, levying execution, putting persons in possession, and so forth. He is entitled, if resisted, to call on all good citizens for help; if they will not or cannot render it, he must refer to Washington and obtain the aid of Federal troops. There exists also in every judiciary district a Federal public prosecutor, called the United States District Attorney, who institutes proceedings against persons transgressing Federal laws or evading the discharge of obligations to the Federal treasury. Both sets of officials are under the direction of the Attorney-General, as head of the department of justice. They constitute a network of Federal authorities covering the whole territory of the Union, and independent of the officers of the State governments. Where a State maintains a jail for the reception of Federal prisoners, the United States Marshal delivers his prisoners to the State jailer; where this provision is wanting, he must himself arrange for their custody.

The system is extremely complex. Under it every yard of ground in the Union is covered by two jurisdictions, with two sets of judges and two sets of officers, responsible to different superiors, their spheres of action divided only by an ideal line, and their action liable in practice to clash. But the system works, and now, after a hundred years of experience, works smoothly, and it leads to few conflicts or heart-burnings, because the key to all difficulties is found in the principle that wherever Federal law is applicable Federal law must prevail, and that every suitor who contends that Federal law is applicable is entitled to have the point determined by

a Federal court. The enforcement of the law, especially the criminal law, in some parts of America leaves much to be desired; but the difficulties which arise are now due not to conflicts between State and Federal pretensions but to other tendencies equally hostile to both authorities.

CHAPTER II

Comparison of the American and European Systems

From their colonial experience, coupled with their notions of the British Constitution, the men of 1787 drew three conclusions: First, that the vesting of the executive and the legislative powers in different hands was the normal and natural feature of a free government. Second, that the power of the Executive was dangerous to liberty, and must be kept within well-defined boundaries. Third, that in order to check the head of the State it was necessary not only to define his powers, and appoint him for a limited period, but also to destroy his opportunities of influencing the legislature. They deemed that in this way they had rendered their legislature pure, independent, vigilant, the servant of the people, the foe of arbitrary power. Thus it was believed in 1787 that a due balance had been arrived at, the independence of Congress being secured on the one side and the independence of the President on the other. Each power holding the other in check, the people, jealous of their hardly-won liberties, would be courted by each, and safe from the encroachments of either.

There was of course the risk that controversies as to their respective rights and powers would arise between these two departments. But the creation of a court entitled to place an authoritative interpretation upon the Constitution in which the supreme will of the people was expressed, provided a remedy avail-

able in many, if not in all, of such cases, and a security for the faithful observance of the Constitution which England did not, and under her system of an omnipotent Parliament could not, possess.

"They builded better than they knew." They divided the legislature from the executive so completely as to make each not only independent, but weak even in its own proper sphere. Entrenched behind the ramparts of a rigid Constitution, the President has retained rights of which his prototype, the English King, has been gradually stripped. Congress on the other hand was weakened, as compared with the British Parliament, in which one House has become dominant, by its division into two co-equal Houses, whose disagreement paralyzes legislative action. And it lost that direct control over the Executive which the presence of ministers in the legislature, and their dependence upon a majority of the popular House, give to the Parliaments of Britain and her colonies. It has diverged widely from the English original which it seemed likely, with only a slight difference, to reproduce.

The British House of Commons has grown to the stature of a supreme executive as well as legislative council, acting not only by its properly legislative power, but through its right to displace ministers by a resolution of want of confidence, and to compel the sovereign to employ such servants as it approves. Congress remains a pure legislature, unable to displace a minister, unable to choose the agents by whom its laws are to be carried out, and having hitherto failed to develop that internal organization which a large assembly needs in order to frame and successfully pursue definite schemes of policy. Nevertheless, so far-reaching is the power of legislation, Congress has encroached, and may encroach

still farther, upon the sphere of the Executive. It encroaches not merely with a conscious purpose, but because the law of its beginning has forced it to create in its committees bodies whose expansion necessarily presses on the Executive. It encroaches because it is restless, unwearied, always drawn by the progress of events into new fields of labor.

These observations may suffice to show why the Fathers of the Constitution did not adopt the English parliamentary or Cabinet system. They could not adopt it because they did not know of its existence. They did not know of it because it was still immature, because Englishmen themselves had not understood it, because the recognized authorities did not mention it. But as the idea never presented itself, we cannot say that it was rejected, nor cite the course they took as an expression of their judgment against the system under which England and her colonies have so far prospered.

It is worth while to compare the form which a constitutional struggle takes under the Cabinet system and under that of America.

In England, if the executive ministry displeases the House of Commons, the House passes an adverse vote. The ministry have their choice to resign or to dissolve Parliament. If they resign, a new ministry is appointed from the party which has proved itself strongest in the House of Commons; and co-operation being restored between the legislature and the executive, public business proceeds. If, on the other hand, the ministry dissolve Parliament, a new Parliament is set up which, if favorable to the existing cabinet, keeps them in office; if unfavorable, dismisses them forthwith. Accord is in either case restored. Should the difference arise between the House of Lords and a ministry supported by the

House of Commons, and the former persist in rejecting a bill which the Commons send up, a dissolution is the constitutional remedy; and if the newly-elected House of Commons reasserts the view of its predecessor, the Lords, according to the now organized constitutional practice, yield at once. Should they, however, still stand out, there remains the extreme expedient, threatened in 1832, but never yet restored to, of a creation by the sovereign (i.e., the ministry) of new peers sufficient to turn the balance of votes in the Upper House. Practically the ultimate decision always rests with the people, that is to say, with the party which for the moment commands a majority of electoral votes. This method of cutting knots applies to all differences that can arise between executive and legislature. It is a swift and effective method; in this swiftness and effectiveness lie its dangers as well as its merits.

In America a dispute between the President and Congress may arise over an executive act or over a bill. If over an executive act, an appointment or a treaty, one branch of Congress, the Senate, can check the President, that is, can prevent him from doing what he wishes, but cannot make him do what they wish. If over a bill which the President has returned to Congress unsigned, the two Houses can, by a two-thirds majority, pass it over his veto, and so end the quarrel; though the carrying out of the bill in its details must be left to him and his ministers, whose dislike of it may render them unwilling and therefore unsuitable agents. Should there not be a two-thirds majority, the bill drops; and however important the question may be, however essential to the country some prompt dealing with it, either in the sense desired by the majority of Congress or in that preferred by the President, nothing can be done

till the current term of Congress expires. The matter is then remitted to the people. If the President has still two more years in office, the people may signify their approval of his policy by electing a House in political agreement with him, or disapprove it by reelecting a hostile House. If the election of a new President coincides with that of the new House, the people have a second means provided of expressing their judgment. They may choose not only a House of the same or an opposite complexion to the last, but a President of the same or an opposite complexion. Anyhow, they can now establish accord between one House of Congress and the Executive. The Senate, however, may still remain opposed to the President, and may not be brought into harmony with him until a sufficient time has elapsed for the majority in it to be changed by the choice of new senators by the State legislatures. This is a slower method than that of Great Britain. It may fail in a crisis needing immediate action; but it escapes the danger of a hurried and perhaps irrevocable decision.

There exists between England and the United States a difference which is full of interest. In England the legislative branch has become supreme, and it is considered by Englishmen a merit in their system that the practical executive of the country is directly responsible to the House of Commons. In the United States, however, not only in the national government, but in every one of the States, the exactly opposite theory is proceeded upon—that the executive should be wholly independent of the legislative branch. Americans understand that this scheme involves a loss of power and efficiency, but they believe that it makes greatly for safety in a popular government. They expect the Executive and the legislature to work together as well as they

can, and public opinion does usually compel a degree of cooperation and efficiency which perhaps could not be expected theoretically. It is an interesting commentary on the tendencies of democratic government, that in America reliance is coming to be placed more and more, in the nation, in the State, and in the city, upon the veto of the Executive as a protection to the community against the legislative branch. Weak Executives frequently do harm, but a strong Executive has rarely abused popular confidence. On the other hand, instances where the Executive, by the use of his veto power, has arrested mischiefs due to the action of the legislature, are by no means rare. This circumstance leads some Americans to believe that the day is not far distant when in England some sort of veto power, or other constitutional safeguard, must be interposed to protect the people against their Parliament.

When one party possesses a large majority in Congress it can overpower the President, taking from him all but a few strictly reserved functions, such as those of pardoning, of making promotions in the army and navy, and of negotiating (not of concluding treaties, for these require the assent of the Senate) with foreign states. Where parties are pretty equally divided, i.e., when the majority is one way in the Senate, the other way in the House, or when there is only a small majority against the President in both Houses, the President is in so far free that new fetters cannot be laid upon him; but he must move under those which previous legislation has imposed, and can take no step for which new legislation is needed.

It is another and a remarkable consequence of the absence of cabinet government in America, that there is also no party government in the European sense.

Party government in France, Italy, and England means, that one set of men, united, or professing to be united, by holding one set of opinions, have obtained control of the whole machinery of government, and are working it in conformity with those opinions. Their majority in the country is represented by a majority in the legislature, and to this majority the ministry of necessity belongs. The ministry is the supreme committee of the party, and controls all the foreign as well as domestic affairs of the nation, because the majority is deemed to be the nation. It is otherwise in America. Men do, no doubt, talk of one party as being "in power," meaning thereby the party to which the then President belongs. But they do so because that party enjoys the spoils of office, in which to so many politicians the value of power consists. They do so also because in the early days the party which prevailed in the legislative usually prevailed also in the executive department, and because the presidential election was, and still is, the main struggle which proclaimed the predominance of one or other party.

But the Americans, when they speak of the administration party as the party in power, have, in borrowing an English phrase, applied it to utterly different facts. Their "party in power" need have no power beyond that of securing places for its adherents. It may be in a minority in one House of Congress, in which event it accomplishes nothing, but can at most merely arrest adverse legislation, or in a small minority in both Houses of Congress, in which event it must submit to see many things done which it dislikes. And if its enemies control the Senate, even its executive arm is paralyzed. Though party feeling has generally been stronger in America than in England, and even now covers a larger proportion

of the voters, and enforces a stricter discipline, party government is distinctly weaker.

We are now in a position to sum up the practical results of the system which purports to separate Congress from the Executive, instead of uniting them as they are united under a cabinet government. These results are five:—

The President and his ministers have no initiative in Congress, little influence over Congress, except what they can exert upon individual members, through the bestowal of patronage.

Congress has, together with unlimited powers of inquiry, imperfect powers of control over the administrative departments.

The nation does not always know how or where to fix responsibility for misfeasance or neglect. The person and bodies concerned in making and executing the laws are so related to one another that each can generally shift the burden of blame on some one else, and no one acts under the full sense of direct accountability.

There is a loss of force by friction—i.e., part of the energy, force, and time of the men and bodies that make up the government is dissipated in struggles with one another. This belongs to all free governments, because all free governments rely upon checks. But the more checks, the more friction.

There is a risk that executive vigor and promptitude may be found wanting at critical moments.

We may include these defects in one general expression. There is in the American Government, considered as a whole, a want of unity. Its branches

are unconnected; their efforts are not directed to one aim, do not produce one harmonious result.

A President can do little, for he does not lead either Congress or the nation. Congress cannot guide or stimulate the President, nor replace him by a man fitter for the emergency. The Cabinet neither receives a policy from Congress nor gives one to it. Each power in the State goes its own way, or wastes precious moments in discussing which way it shall go, and that which comes to pass seems to be a result not of the action of the legal organs of the State, but of some larger force which at one time uses their discord as its means, at another neglects them altogether. This at least is the impression which the history of the great problem and greatest struggle that America has seen, the struggle of the slave-holders against the Free Soil and Union Party, culminating in the War of the Rebellion, makes upon one who looking back on its events sees them all as parts of one drama. The carefully devised machinery of the Constitution did little to solve that problem or avert that struggle. The nation asserted itself at last, but not till this machinery had failed to furnish a peaceful means of trying the real strength of the parties, so as to give the victory to one or to settle a compromise between them.

This want of unity is painfully felt in a crisis. When a sudden crisis comes upon a free State, the Executive needs two things, a large command of money and powers in excess of those allowed at ordinary times. Under the European system the duty of meeting such a crisis is felt to devolve as much on the Representative Chamber as on the ministers who are its agents. The Chamber is therefore at once appealed to for supplies, and for such legislation as the occasion demands. When these have

been given, the ministry moves on with the weight of the people behind it; and as it is accustomed to work at all times with the Chamber, and the Chamber with it, the piston plays smoothly and quickly in the cylinder. In America the President has at ordinary times little to do with Congress, while Congress is unaccustomed to deal with executive questions. Its machinery, and especially the absence of ministerial leaders and consequent want of organization, unfit it for promptly confronting practical troubles. It is apt to be sparing of supplies, and of that confidence which doubles the value of supplies. Jealousies of the Executive, which are proper in quiet times and natural toward those with whom Congress has little direct intercourse, may now be perilous, yet how is Congress to trust persons not members of its own body nor directly amenable to its control? When dangers thicken the only device may be the Roman one of a temporary dictatorship. Something like this happened in the War of Secession, for the powers then conferred upon President Lincoln, or exercised without congressional censure by him, were almost as much in excess of those enjoyed under the ordinary law as the authority of a Roman dictator exceeded that of a Roman consul. Fortunately the habits of legality, which lie deep in the American as they did in the Roman people, reasserted themselves after the war was over, as they were wont to do at Rome in her earlier and better days. When the squall had passed the ship righted, and she has pursued her subsequent course on as even a keel as before.

The defects of the tools are the glory of the workman. The more completely self-acting is the machine, the smaller is the intelligence needed to work it; the more liable it is to derangement, so much

greater must be the skill and care applied by one who tends it. The English Constitution, which we admire as a masterpiece of delicate equipoises and complicated mechanism, would anywhere but in England be full of difficulties and dangers. It stands and prospers in virtue of the traditions that still live among English statesmen and the reverence that has ruled English citizens. It works by a body of understandings which no writer can formulate, and of habits which centuries have been needed to instill. So, the American people have a practical aptitude for politics, a clearness of vision and capacity for self-control never equaled by any other nation. In 1861 they brushed aside their darling legalities, allowed the Executive to exert novel powers, passed lightly laws whose constitutionality remains doubtful, raised an enormous army, and contracted a prodigious debt. Romans could not have been more energetic in their sense of civic duty, nor more trustful to their magistrates. When the emergency had passed away the torrent which had overspread the plain fell back at once into its safe and well-worn channel. The reign of legality returned; and only four years after the power of the Executive had reached its highest point in the hands of President Lincoln, it was reduced to its lowest point in those of President Johnson. Such a people can work any Constitution. The danger for them is that this reliance on their skill and their star may make them heedless of the faults of their political machinery, slow to devise improvements which are best applied in quiet times.

CHAPTER III

The Amendment of the Constitution

The men who sat in the Convention of 1787 were not sanguine enough, like some of the legislating sages of antiquity, or like such imperial codifiers as the Emperor Justinian, to suppose that their work could stand unaltered for all time to come. They provided that "Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode may be prescribed by Congress."

There are therefore two methods of framing and proposing amendments.

(A) Congress may itself, by a two-thirds vote in each House, prepare and propose amendments.

(B) The legislatures of two-thirds of the States may require Congress to summon a Constitutional Convention. Congress shall thereupon do so, having no option to refuse; and the Convention when called shall draft and submit amendments. No provision is made as to the election and composition of the Convention, matters which would therefore appear to be left to the discretion of Congress.

There are also two methods of enacting amendments framed and proposed in either of the foregoing ways. It is left to Congress to prescribe one or the other methods as Congress may think fit.

(X) The legislatures of three-fourths of the States may ratify any amendments submitted to them.

(Y) Conventions may be called in the several States, and three fourths of these conventions may ratify.

On all the occasions on which the amending power has been exercised, method A has been employed for proposing and method X for ratifying—i.e., no drafting conventions of the whole Union or ratifying conventions in the several States have ever been summoned. The preference of the action of Congress and the State legislatures may be ascribed to the fact that it has never been desired to remodel the whole Constitution, but only to make changes or additions on special points. Moreover, the procedure by National and State conventions might be slower, and would involve controversy over the method of electing those bodies. The consent of the President is not required to a constitutional amendment. A two-thirds majority in Congress can override his veto of a bill, and at least that majority is needed to bring a constitutional amendment before the people.

There is only one provision of the Constitution which cannot be changed by this process. It is that which secures to each and every State equal representation in one branch of the legislature. "No State without its consent shall be deprived of its equal suffrage in the Senate." It will be observed that this provision does not require unanimity on the part of the States to a change diminishing or extinguishing State representation in the Senate, but merely gives any particular State proposed to be af-

fected an absolute veto on the proposal. If a State were to consent to surrender its rights, and three-fourths of the whole number to concur, the resistance of the remaining fourth would not prevent the amendment from taking effect.

The amendments made by the above process (A+X) to the Constitution have been, in all, fifteen in number. These have been made on four occasions, and fall into four groups, two of which consist of one amendment each. The first group, including ten amendments made immediately after the adoption of the Constitution, ought to be regarded as a supplement or postscript to it, rather than as changing it. They constitute what the Americans, following the English precedent, call a Bill of Rights, securing the individual citizen and the States against the encroachments of Federal power. The second and third groups, if a single amendment can be properly called a group (viz., amendments xi. and xii.) are corrections of minor defects which had disclosed themselves in the working of the Constitution. The fourth group is the only one which marked a political crisis and registered a political victory. It comprises three amendments (xiii., xiv., xv.) which forbid slavery, define citizenship, secure the suffrage of citizens against attempts by States to discriminate to the injury of particular classes, and extend Federal protection to those citizens who may suffer from the operation of certain kinds of unjust State laws. These three amendments are the outcome of the War of Secession, and were needed in order to confirm and secure for the future its results. The requisite majority of States was obtained under conditions altogether abnormal, some of the lately conquered States ratifying while actually controlled by the northern armies, others are the price which they

were obliged to pay for the re-admission to Congress of their senators and representatives.

Many amendments to the Constitution have been at various times suggested to Congress by Presidents, or brought forward in Congress by members, but very few of these have ever obtained the requisite two-thirds vote of both Houses.

The moral of these facts is not far to seek. Although it has long been the habit of the Americans to talk of their Constitution with almost superstitious reverence, there have often been times when leading statesmen, perhaps even political parties, would have materially altered it if they could have done so. There have, moreover, been some alterations suggested in it, which the impartial good sense of the wise would have approved, but which have never been submitted to the States, because it was known they could not be carried by the requisite majority. If, therefore, comparatively little use has been made of the provisions for amendment, this has been due, not solely to the excellence of the original instrument, but also to the difficulties which surround the process of change. Alterations, though perhaps not large alterations, have been needed, to cure admitted faults or to supply dangerous omissions, but the process has been so difficult that it has never been successfully applied, except either to matters of minor consequence involving no party interests (Amendments xi. and xii.), or in the course of a revolutionary movement which had dislocated the Union itself (Amendments xiii., xiv., xv.)

CHAPTER IV

The Results of Constitutional Development

The American Constitution has changed, is changing, and by the law of its existence must continue to change, in its substance and practical working even when its words remain the same. "Time and habit," said Washington, "are at least as necessary to fix the true character of governments as of other human institutions"; and while habit fixes some things, time remolds others.

It remains to ask what has been the general result of the changes it has suffered, and what light an examination of its history, in this respect, throws upon the probable future of the instrument and on the worth of rigid or supreme constitutions in general.

I shall attempt to state the chief differences perceptible between the ideas which men entertained regarding the various bodies and offices of the government when they first entered life, and the aspect they now bear to the nation.

The President has developed a capacity for becoming, in moments of national peril, something like a Roman dictator. He is in quiet times no stronger than he was at first, possibly weaker. Congress has in some respects encroached on him, yet his office has shown that it may, in the hands of a trusted leader and at the call of a sudden necessity, rise to a tremendous height.

The ministers of the President have not become more important either singly or collectively as a cabi-

net. Cut off from the legislature on one side, and from the people on the other, they have been a mere appendage to the President.

The Senate has come to press heavily on the Executive, and at the same time has developed legislative functions which, though contemplated in the Constitution, were comparatively rudimentary in the older days. It has, in the judgment of American publicists, grown relatively stronger than it then was.

The Vice-President of the United States has become even more insignificant than the Constitution seemed to make him.

On the other hand, the Speaker of the House of Representatives, whom the Constitution mentions only once, and on whom it bestows no powers, has now secured one of the leading parts in the piece, and can affect the course of legislation more than any other single person.

An oligarchy of chairman of the leading committees has sprung up in the House of Representatives as a consequence of the increasing demands on its time and of the working of the committee system.

The Judiciary was deemed to be making large strides during the first forty years, because it established its claim to powers which, though doubtless really granted, had been but faintly apprehended in 1789. After 1830 the development of those powers advanced more slowly. But the position which the Supreme Court has taken in the scheme of government, if it be not greater than the framers of the Constitution would have wished, is yet greater than they foresaw.

Although some of these changes are considerable, they are far smaller than those which England has seen pass over her Government since 1789. So far,

therefore, the rigid Constitution has maintained a sort of equilibrium between the various powers, whereas that which was then supposed to exist in England between the king, the peers, the House of Commons, and the people (i.e., the electors) has vanished irrecoverably.

In the other struggle that has gone on in America, that between the national government and the States, the results have been still more considerable, though the process of change has sometimes been interrupted. During the first few decades after 1789 the States, in spite of a steady and often angry resistance, sometimes backed by threats of secession, found themselves more and more entangled in the network of Federal powers which sometimes Congress, sometimes the President, sometimes the Judiciary, as the expounder of the Constitution, flung over them. Provisions of the Constitution whose bearing had been inadequately realized in the first instance were put in force against a State, and when once put in force became precedents for the future. The expansive force of the national government proved ultimately stronger than the force of the States, so the centralizing tendency prevailed. Now and then the centralizing process was checked. Georgia defied the Supreme Court in 1830-'32, and was not made to bend because the Executive sided with her. South Carolina defied Congress and the President in 1832, and the issue was settled by compromise. Acute foreign observers then, and often during the period that followed, predicted the dissolution of the Union. For some years before the outbreak of the Civil War the tie of obedience to the national government was palpably loosened over a large part of the country. But during and after the war the former tendency

resumed its action, swifter and more potent than before.

The dominance of the centralizing tendencies is not wholly or even mainly due to constitutional amendments. It had begun before then. It would have come about, though less completely, without them. It has been due not only to these amendments but also—

To the extensive interpretation by the Judiciary of the powers which the Constitution vests in the National Government.

To the passing by Congress of statutes on topics not exclusively reserved to the States, statutes which have sensibly narrowed the field of State action.

To exertions of Executive power which, having been approved by the people, and not condemned by the courts, have passed into precedents.

These have been the modes in which the centralizing tendency has shown itself and prevailed. What have been the underlying causes? They belong to history. They are partly economical, partly moral. Steam and electricity have knit the various parts of the country closely together, have made each State and group of States more dependent on its neighbors, have added to the matters in which the whole country benefits by joint action and uniform legislation. The power of the national government to stimulate or depress commerce and industries by tariff legislation has given it a wide control over the material prosperity of part of the Union, till "the people, and especially the trading and manufacturing classes, came to look more and more to the national capital for what enlists their interests, and less and less to the capital of their own State. . . . It is the nation

and not the state that is present to the imagination of the citizens as sovereign, even in the States of Jefferson and Calhoun. . . . The Constitution as it is, and the Union as it was, can no longer be the party watchword. There is a new Union, with new grand features, but with new engrafted evils." There has grown up a pride in the national flag, and in the national government as representing national unity. In the North there is gratitude to that government as the power that saved the Union in the Civil War; in the South a sense of the strength which Congress and the President then exerted; in both a recollection of the immense scope which the war powers took and might take again. All over the country there is a great army of Federal office-holders who look to Washington as the center of their hopes and fears. As the modes in and by which these and other similar causes can work are evidently not exhausted, it is clear that the development of the Constitution as between the nation and the states has not yet stopped, and present appearances suggest that the centralizing tendency will continue to prevail.

The Constitution of the United States has rendered, and renders now, inestimable services. It opposes obstacles to rash and hasty change. It secures time for deliberation. It forces the people to think seriously before they alter it or pardon a transgression of it. It makes legislatures and statesmen slow to overpass their legal powers, slow even to propose measures which the Constitution seems to disapprove. It tends to render the inevitable process of modification gradual and tentative, the result of admitted and growing necessities rather than of restless impatience. It altogether prevents some changes which a temporary majority may clamor for, but which will

have ceased to be demanded before the barriers interposed by the Constitution have been overcome. It does still more than this. It forms the mind and temper of the people. It trains them to habits of legality. It strengthens their conservative instincts, their sense of the value of stability and permanence in political arrangements. It makes them feel that to comprehend their supreme instrument of government is a personal duty, incumbent on each one of them. It familiarizes them with, it attaches them by, ties of pride and reverence to, those fundamental truths on which the Constitution is based.

These are enormous services to render to any free country, but above all to one which, more than any other, is governed not by the men of rank or wealth or special wisdom, but by public opinion, that is to say, by the ideas and feelings of the people at large. In no country were swift political changes so much to be apprehended, because nowhere has material growth been so rapid and immigration so enormous. In none might the political character of the people have seemed more likely to be bold and prone to innovation, because their national existence began with a revolution, which even now lies only a century behind. That none has ripened into a more prudently conservative temper may be largely ascribed to the influence of the famous instrument of 1789, which, enacted in and for a new republic, summed up so much of what was best in the laws and customs of an ancient monarchy.

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